



NOTICE

THE MAYOR HAS CALLED
A SPECIAL MEETING OF COUNCIL
FOLLOWING THE
BUDGET REVIEW COMMITTEE MEETING
ON

TUESDAY, OCTOBER 27, 2020

TO DISCUSS THE FOLLOWING:

- PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES; AND
 - *Human Resources Matters update*
 - *Chief Administrative Office recruitment.*
- PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD;
 - *Land sale update.*

AND

IN OPEN SESSION
TO CONSIDER ANY CORRESPONDENCE, REPORTS, AND BY-LAWS

*Due to COVID-19 and the closure of the Civic Square
All Electronic Meetings can be viewed at:*

City of Welland website: <https://www.welland.ca/Council/LiveStream.asp>

Tara Stephens,
City Clerk



SPECIAL COUNCIL MEETING

Tuesday, October 27, 2020

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1. **COMMITTEE-OF-THE-WHOLE (IN-CAMERA)**
(See yellow tab)
 - Personal matters about an identifiable individual, including municipal or local board employees; and
 - *Human Resources Matters update.*
 - *Chief Administrative Officer recruitment.*
 - Proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Land Sale update.*

2. **ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA)**

3. **OPEN SPECIAL COUNCIL MEETING FOLLOWING COMMITTEE-OF-THE-WHOLE (IN-CAMERA)**
 - 3.1 **ADDITIONS/DELETIONS TO AGENDA**

 - 3.2 **CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE ITEMS (IN-CAMERA) TO BE ADDED TO BLOCK**

 - 3.3 **DISCLOSURES OF INTEREST**

 - 3.4 **COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE-OF-THE-WHOLE (OPEN) (See pink tab)**

4. **ORAL REPORTS AND DELEGATIONS**
 - 4.1 **LEGISLATED PUBLIC HEARINGS PURSUANT TO THE *PLANNING ACT***

Applications to Amend City of Welland Official Plan (OPA No. 32) and Zoning By-law 2017-117 (2020-11)

20-113 Complete applications have been made by the Corporation of the City of Welland to redesignate lands and to rezone lands described as Part Township Lots 23 and 24, Concession 5, Parts 1 and 2 on RP 59R-9333, and Part 1 on RP 59R-6589, City of Welland for lands municipally known as 80, 98, 122 and 148 Colborne Street. The lands are currently under appeal in Zoning By-law 2017-117. The application to amend the zoning by-law has been made to rezone the lands to Site Specific Rural Residential – RR Zone, to allow for a maximum of eight (8) residential lots



COUNCIL MEETING AGENDA – Page 2

SPECIAL COUNCIL MEETING

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to be created in this area on private services, and set out site specific lot area, frontage, front yard, interior side yard, rear yard, building height, lot coverage provisions, and to require that the development on these lands must be completed through a Draft Plan of Condominium. An application for Official Plan Amendment has also been submitted in conjunction with the application for Rezoning to identify the lands as Area Specific Policy Area 7 and remove the subject lands from within the City's urban area boundary.

(See Report P&B-2020-62 Pages 1 to 26)

Application to Amend Zoning By-law 2017-117 (File No. 2020-08)

20-112 A complete application has been made by U. Lucchetta Construction Ltd. to amend the existing Site Specific Residential Multiple RM-4 Zone in Zoning By-law 2017-117. This application will impact properties on Kintyre, Turnberry, Berwick, Ganton, Carrick and Ailsa Trials, as well as lands that have not yet been registered as part of the Plan of Subdivision. The purpose of the application for Rezoning is to: allow for front yard porches to encroach into the front yard on corner lots, allow for lot coverage of 60% for interior units on townhouse blocks; to allow for covered or uncovered rear yard decks to encroach 3 metres into the rear yard; and to identify that the daylighting triangle is not the front yard on corner lots. The Official Plan designation is Medium Density Residential. (See Report P&B-2020-64 Pages 146 to 165)

4.2 PRESENTATION(S) - Nil

4.3 DELEGATION(S) (maximum 5/10/5 policy) - Nil

4.4 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S) - Nil

**5. COMMITTEE-OF-THE-WHOLE (OPEN)
(to discuss items removed from Agenda Block)**

6. BY-LAWS (SEE AGENDA INDEX)

7. CONFIRMATORY BY-LAW

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 27th day of October, 2020. Ref. No. 20-1

8. ADJOURNMENT



SPECIAL COUNCIL MEETING

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Page No.

AGENDA BLOCK

1. BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION - Nil

2. COMMITTEE AND STAFF REPORTS

1. Business Arising from Committee-of-the-Whole (closed)

2. General Committee Report to Council - Nil

3. Budget Review Committee Report to Council - Nil

4. Staff Reports

1 - 26
Remove From
Block

P&B-2020-62 Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Proposed Official Plan and Zoning By-law Amendment, for lands described as being north of Forks Road, east of Highway 58, south of Highway 58A and on the west side of Colborne Street and the Recreational Canal, legally described as Part of Township Lots 23 and 24 Concession 5, Parts 1 and 2 on Plan 59R-9333 and Part 1 on Plan 59R-6589, City of Welland known municipally as 80, 98, 122 and 148 Colborne St. Ref. No. 20-113 (See By-law 1 & 2)

27 - 145

P&B-2020-63 Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Northwest Welland Official Plan Amendment (OPA 29) and Urban Design Guidelines. Ref. No. 20-104 (See By-law 3)

146 - 165
Remove From
Block

P&B-2020-64 Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Application for Zoning By-law Amendment (2020-08) submitted by U. Lucchetta Construction for all lands with the RM-5 Zone. Ref. No. 20-112 (See By-law 4)

166 - 172

CAO-2020-06 Interim CAO/Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Chief Administrative Officer (CAO) Recruitment. Ref. No. 20-24



SPECIAL COUNCIL MEETING

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Page No.

3. NEW BUSINESS - Nil

4. BY-LAWS

1. A By-law to authorize the adoption of Official Plan Amendment No. 32.
Ref. No. 20-113
(See Report 2020-62)
2. A By-law to amend City of Welland Zoning By-law 2017-117 Froude - Colborne Street). Ref. No 20-113
(See Report 2020-62)
3. A By-law to authorize the adoption of Official Plan Amendment No. 29.
Ref. No. 20-104
(See Report 2020-63)
4. A By-law to amend City of Welland Zoning By-law 2017-117 (U Lucchetta Construction Ltd. - File No. 2020-08) Lots 8-60 (inclusive) Plan 59M-389; Lots 1-41 (inclusive) and Bocks 48 - 52 (inclusive) Plan 59M-433; Lots 10-44 (inclusive) and Blocks 49 - 53 (inclusive) Plan 59M-458; and part of Part 1 and Part 2 RP 59R-10855, Part Road Allowance, Part Lots 18 and 19, Concession 1, former Township of Crowland, City of Welland. Ref. No. 20-112
(See Report 2020-64)

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES

REPORT P&B-2020 - 62
OCTOBER 27, 2020

20-113

SUBJECT: PROPOSED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT, FOR LANDS DESCRIBED AS BEING NORTH OF FORKS ROAD, EAST OF HIGHWAY 58, SOUTH OF HIGHWAY 58A AND ON THE WEST SIDE OF COLBORNE STREET AND THE RECREATIONAL CANAL, LEGALLY DESCRIBED AS PART OF TOWNSHIP LOTS 23 AND 24 CONCESSION 5, PARTS 1 AND 2 ON PLAN 59R-9333 AND PART 1 ON PLAN 59R-6589, CITY OF WELLAND KNOW MUNICIPALLY AS 80,98,122 AND 148 COLBORNE ST.

AUTHOR & APPROVING G.M.:
TRAVERS FITZPATRICK
GENERAL MANAGER,
INFRASTRUCTURE AND DEVELOPMENT SERVICES

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves Official Plan Amendment # 32;
2. THAT THE COUNCIL OF THE CITY OF WELLAND approves amendments to City of Welland Zoning By-law 2017-117 to permit the construction of a maximum of 8 single unit dwellings in the RR-101 Special Exceptions Zone, subject to the provisions in the said Zone, and
3. THAT THE COUNCIL OF THE CITY OF WELLAND requests Regional Niagara to approve the deferred portion of the City of Welland Official Plan, while making provision for City of Welland OPA # 32.

ORIGIN AND BACKGROUND:

The City's Official Plan was adopted by Council on May 4, 2010 and approved by Regional Council on September 15, 2011 with new policies and mapping. The City, through its 2010 process conducted a municipal comprehensive review (i.e., preparation of our new Official Plan) that rationalized its urban land supply. At that time, Staff recommended (and Council of the day agreed) to the removal of

approximately 110 hectares (272 acres) of land from the urban area and to re-designate these lands to a rural designation. The subject lands generally located north of Forks Road, east of Highway 58 and west of Colborne Street in the southwest area of the City. At the time of Regional Council's consideration of approval of the City's Official Plan, as a result of concerns raised by property owners, Regional Council deferred the removal of the subject lands from the City's urban area and their subsequent re-designation to a rural classification.

Over the course of many meetings and presentations before the Region's Planning Committee and Council, and over the years since the City's initial request (2010) for removal of the subject lands from within the City's Urban Area Boundary, the Region has continued to direct that a solution be arrived at between the Region, City and Owners of the subject lands.

During the preparation of the new City of Welland Zoning By-law the City of Welland zoned the subject lands A1 Agricultural Zone to align the Zoning with the provisions of the deferred portion of the City's Official Plan. That Zoning was appealed by Mr. Froude.

The Proposal

The proposal before the City is a compromise to settle the longstanding/outstanding deferral of a portion of the City's Official Plan and to resolve the outstanding appeal to the City's Zoning By-law which is presently before LPAT. There have been ongoing discussions amongst the parties, (Regional Niagara Staff, City Staff, Mr. Froude's Planning Consultant, and respective counsel.) Those discussions have led to the proposal before Council and will settle the outstanding issues to the satisfaction of the parties.

Specifically, the City Official Plan will be amended as follows:

Adding Section 6.7.7. Area 7: Rural Residential - Southwest Welland (Froude Lands) as follows:

6.7.7.1 Planned Function

Area 7 is intended for single-detached residential development on large lots each serviced by individual, private on-site water and sewage services in accordance with the requirements of the respective approval authorities. Area 7 is planned to function as a rural residential area accommodating a maximum of eight (8) lots each having a minimum lot area of 0.8 hectares (2 acres).

6.7.7.2 Permitted Uses

Only single-detached residential dwellings and associated complementary/accessory buildings are permitted. Accessory buildings shall be

scaled and constructed in a fashion sympathetic to the primary residential use on the property.

6.7.7.3 Design

The nature of the Rural Residential development shall be governed by the following:

Emphasis will be on minimal disruption and negative impacts on the natural heritage system by preserving, protecting and enhancing existing environmental features/attributes, functions and linkages from development so that it displays a high level of environmental quality and amenity;

The visual impact of the development of the lands designated Special Policy Area 7 should be minimized by the use of measures such as vegetative buffers;

Additional lot creation by way of consent shall not be permitted;

Lands within the Special Policy Area 7 designation shall be developed on a condominium basis and included in a separate Zone category in the implementing Zoning By-law;

To ensure proper development of Special Policy Area 7 and a complete application submission the development proponent may be required to provide, satisfactory to the City and/or external agencies as appropriate, studies to address the following:

- land use compatibility issues;
- environmental constraints;
- on-site servicing constraints; and
- other impact studies deemed to be required in accordance with this Plan to ensure proper development of Special Policy Area 7.

In addition, the City's Zoning By-law will be amended to add Special Exception Zone RR – 91 Zone as follows:

- a. A total of eight (8) single unit dwellings shall be permitted in the RR-101 Zone;
- b. The minimum lot area for any lot within the RR-101 Zone shall be 0.8 ha.
- c. The minimum lot frontage for any lot within the RR-101 Zones shall be 25.0 metres;

- d. The minimum front yard for any lot within the RR-101 Zone shall be 10.0 metres;
- e. The minimum interior side yard for any lot within the RR-101 Zone shall be 4.5 metres;
- f. The minimum rear yard for any lot within the RR-101 Zone shall be 7.5 metres;
- g. The maximum building height for any building in the RR-101 Zone shall be 11 metres;
- h. The maximum lot coverage in the RR-101 Zone shall be 15%;
- i. Development within the RR-101 Zone shall be via condominium development process.

The Site

The lands that are subject to are this Official Plan and Zoning By-law are located on the west side of Colborne Street north of Forks Road are shown on Appendices # 1 and #2, Special Policy Area #7 and Concept Plan - Froude Lands respectively.

COMMENTS AND ANALYSIS

At the time of consideration of the 2010 Official Plan, Official Plan Amendment No. 67 (approved in 1988) included the subject lands within the City's Urban Area Boundary and designated them Light Industrial and Special Status Area. Upon review of a number of factors in the context of policies contained in OPA 67 and within the time horizon of the new Plan, including the likelihood of development of these lands for urban purposes on full services, Staff recommended that these lands be removed from inside the Urban Area Boundary and re-designated the lands from Special Status Area and Light Industrial to Rural.

As noted above, as a result of the concerns raised by property owners, the Region deferred its decision regarding the subject lands. In an effort to mediate and settle this matter without proceeding to a full LPAT Hearing, City Staff has presented an offer of settlement to the property owners. The settlement is implemented thorough the policy documents attached to this Report in Appendix III. Specifically, with regard to the City's Official Plan, the subject lands will be removed from the Urban Area Boundary and designated Rural as originally contemplated by Staff in their preparation of the 2010 Official Plan. Staff has suggested the creation of a Special Policy Area 7 as an offer of settlement, which would permit the creation of a single-detached dwelling development by Plan of Condominium containing a maximum of eight (8) lots with each lot having to meet a minimum lot area and frontage, on private services. Specific policies are also included to ensure the proper development of the condominium plan in terms of protecting the

environment, compatibility with surrounding land uses, development on adequate individual private service systems etc.

Staff is of the opinion, that the settlement offer described above has merit and represents a good compromise for all parties involved. As a result, Staff is seeking support from Council regarding the proposed settlement and thereafter request Regional Council to lift the deferral.

A virtual Public Information meeting was held by staff on Thursday 15 October 2020 at 7:00 pm.

Mrs. Farladeau, resident at 114 Colborne Street spoke to the application and raised a concern about the location of the access driveway to the proposed eight (8) lots.

Mr. Greg Hynde, Planning Consultant for the Froude's spoke in support of the proposal. During his comments Mr. Hynde indicated that appropriate buffering could be provided at the development stage as the proposal would proceed through a site plan process.

FINANCIAL CONSIDERATIONS:

None.

OTHER DEPARTMENT IMPLICATIONS:

None.

SUMMARY AND CONCLUSION:

The approval of the Official Plan and Zoning By-law amendment will resolve a longstanding/outstanding matter which will see, subject to Regional approval, the approval of a deferred portion of the City's 2010 Official Plan. It will also resolve an outstanding appeal to the City's 2017 Zoning By-law.

ATTACHMENTS:

- Appendix I - Schedule A to OPA #32 - Special Policy Area # 7
- Appendix II - Concept Plan – Froude Lands
- Appendix III - Draft City of Welland OPA #32
- Appendix IV - Draft Regional OPA
- Appendix V - Regional Niagara Comments



**SPECIAL POLICY
AREA #7**

SCHEDULE "A" TO OPA 32

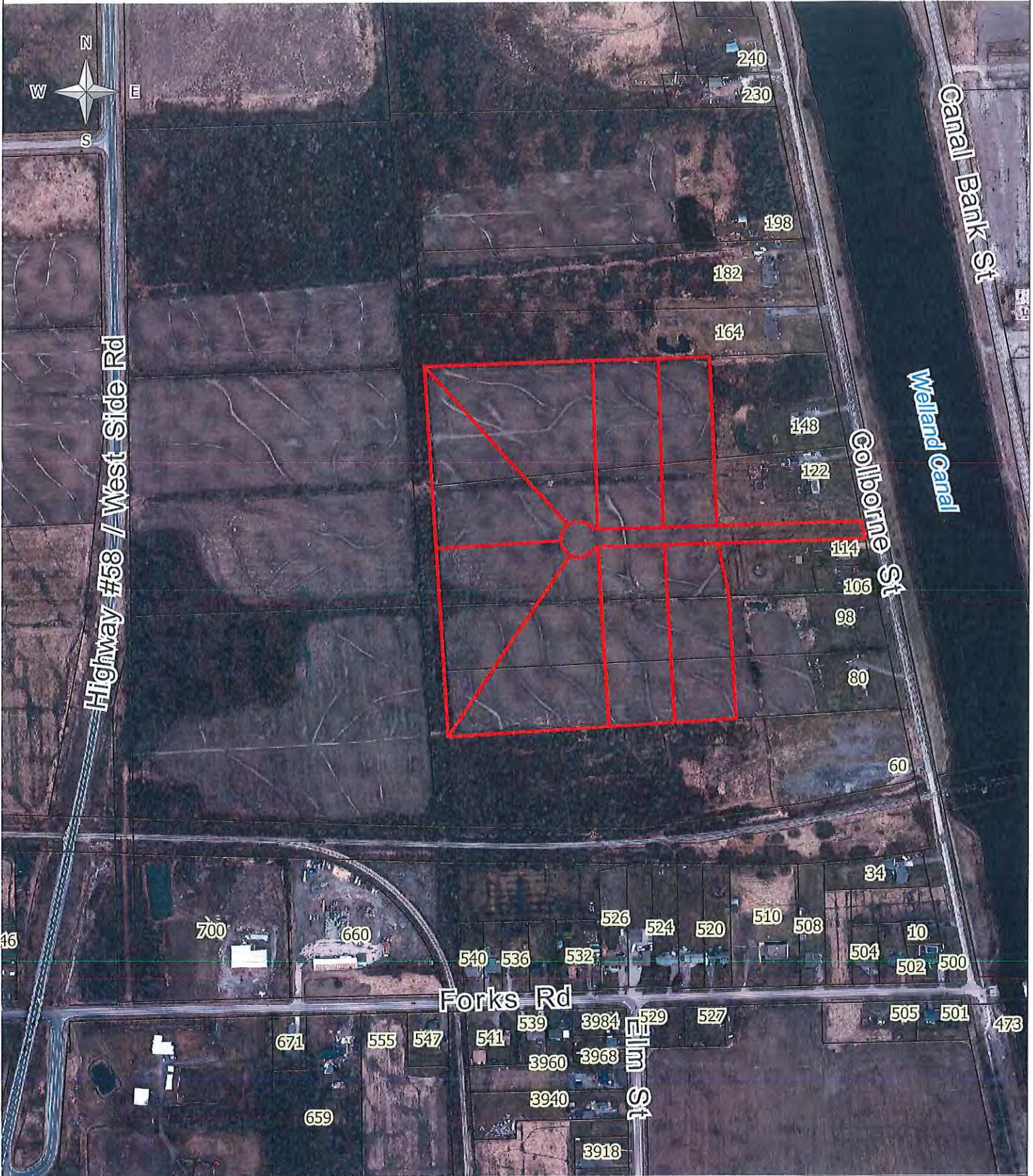
Froude Lands

Aerial Photography flown April 2020.

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*Infrastructure and
Development Services*
Planning Division





CONCEPT PLAN

Froude Lands

Aerial Photography flown April 2020.

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*Infrastructure and
Development Services*
Planning Division



APPENDIX III

PART A - THE PREAMBLE (This does not constitute part of the Amendment)

TITLE AND COMPONENTS

This document, when approved in accordance with the Planning Act, shall be known as Amendment No. 32 to the Official Plan of the Corporation of the City of Welland.

Part "A", the Preamble, does not constitute part of this Amendment.

Part "B", the Amendment, consists of map changes and text additions.

Part "C", the Appendices, which does not constitute part of this Amendment, contains the background information associated with this Amendment.

PURPOSE OF THE AMENDMENT

The purpose of Official Plan Amendment 32 is to re-designate the lands ("the subject lands") shown on the attached Schedule 'A' to Special Policy Area #7 and create associated policies which will implement the uses agreed upon between the landowners, the City of Welland and the Region of Niagara.

LOCATION

The lands subject to this Amendment encompass lands on the west side of Colborne Street and the Welland Recreational Waterway, east of the former N.S. and T. trolley line and north of the Canadian National Railway and lands owned by the City of Welland as shown on Schedule 'A'.

BASIS

This Amendment will implement, through the addition of text and map changes, the requirements under which the agreed upon development will be permitted. The textual additions and mapping changes in this Amendment reflect the results of the compromise agreement amongst the parties.

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following Policies and the maps referred to as Schedule "A" - Land Use Plan and Policies, constitute Amendment No. 32 to the Official Plan of the Corporation of the City of Welland.

MAP CHANGES

1. Schedules 'A', 'B', 'B1', and 'C', are hereby amended by the addition of the Special Policy Area 7 designation on Schedule "A", attached hereto.
2. Schedules 'A' through 'F' are hereby amended by removing the area reference to as "Deferred by the Region of Niagara" on lands located in the Southwest Welland.

POLICIES

1. The Official Plan of the Corporation of the City of Welland is hereby amended as follows:

Adding Section 6.7.7. Special Policy Area 7: Rural Residential - Southwest Welland (Froude Lands) as follows:

6.7.7.1 Planned Function

Special Policy Area # 7 is intended for single-detached residential development on large lots each serviced by individual, private on-site water and sewage services in accordance with the requirements of the respective approval authorities. Special Policy Area # 7 is planned to function as a rural residential area accommodating a maximum of eight (8) lots each having a minimum lot area of 0.8 hectares (2 acres). Additional lot creation by way of consent shall not be permitted.

6.7.7.2 Permitted Uses

Only single-detached residential dwellings and associated complementary/accessory buildings are permitted. Accessory buildings shall be scaled and constructed in a fashion sympathetic to the primary residential use on the property.

6.7.7.3 Design

The nature of the Rural Residential development shall be governed by the following:

Emphasis will be on minimal disruption and negative impacts on the natural heritage system by preserving, protecting and enhancing existing environmental features/attributes, functions and linkages from development so that it displays a high level of environmental quality and amenity;

The visual impact of the development of the lands designated Special Policy Area # 7 should be minimized by the use of measures such as vegetative buffers;

Lands within the Special Policy Area 7 designation shall be developed through a plan of condominium basis and included in a separate Zone category in the implementing Zoning By-law;

To ensure proper development of Special Policy Area 7 a complete application submission the development proponent shall be required to provide, satisfactory to the City and/or external agencies as appropriate, studies to address the following:

- land use compatibility
- environmental constraints
- on-site servicing constraints; and
- other impact studies deemed to be required through pre-consultation in accordance with this Plan to ensure proper development of Special Policy Area 7.

SCHEDULE "A" SPECIAL POLICY AREA # 7

The following appendices do not constitute part of Amendment No. 32 to the Official Plan of the Corporation of the City of Welland but are included only as information supporting the amendment.

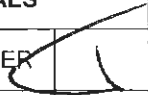
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PART C- THE APPENDICES

Staff Report P&B -2020-62

Proposed Regional Official Plan Amendment 7 - Site Specific Policy Area 13. K.1.5

Proposed Regional Official Plan Amendment 7 – Welland Urban Boundary Adjustment

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCILINFRASTRUCTURE AND DEVELOPMENT SERVICES

REPORT P&B-2020 - 62
OCTOBER 27, 2020

SUBJECT: PROPOSED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT, FOR LANDS DESCRIBED AS BEING NORTH OF FORKS ROAD, EAST OF HIGHWAY 58, SOUTH OF HIGHWAY 58A AND ON THE WEST SIDE OF COLBORNE STREET AND THE RECREATIONAL CANAL, LEGALLY DESCRIBED AS PART OF TOWNSHIP LOTS 23 AND 24 CONCESSION 5, PARTS 1 AND 2 ON PLAN 59R-9333 AND PART 1 ON PLAN 59R-6589, CITY OF WELLAND KNOW MUNICIPALLY BY AS 80,98,122 AND 148 COLBORNE STRE

AUTHOR & APPROVING G.M.:
TRAVERS FITZPATRICK
GENERAL MANAGER,
INFRASTRUCTURE AND DEVELOPMENT SERVICES

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves Official Plan Amendment # 32;
2. THAT THE COUNCIL OF THE CITY OF WELLAND approves amendments to City of Welland Zoning By-law 2017-117 to permit the construction of a maximum of 8 single unit dwellings in the RR-91 Special Exceptions Zone, subject to the provisions in the said Zone, and
3. THAT THE COUNCIL OF THE CITY OF WELLAND requests Regional Niagara to approve the deferred portion of the City of Welland Official Plan, while making provision for City of Welland OPA # 32.

ORIGIN AND BACKGROUND:

The City's Official Plan was adopted by Council on May 4, 2010 and approved by Regional Council on September 15, 2011 with new policies and mapping. The City, through its 2010 process conducted a municipal comprehensive review (i.e., preparation of our new Official Plan) that rationalized its urban land supply. At that time, Staff recommended (and Council of the day agreed) to the removal of

approximately 110 hectares (272 acres) of land from the urban area and to re-designate these lands to a rural designation. The subject lands generally located north of Forks Road, east of Highway 58 and west of Colborne Street in the southwest area of the City. At the time of Regional Council's consideration of approval of the City's Official Plan, as a result of concerns raised by property owners, Regional Council deferred the removal of the subject lands from the City's urban area and their subsequent re-designation to a rural classification.

Over the course of many meetings and presentations before the Region's Planning Committee and Council, and over the years since the City's initial request (2010) for removal of the subject lands from within the City's Urban Area Boundary, the Region has continued to direct that a solution be arrived at between the Region, City and Owners of the subject lands.

During the preparation of the new City of Welland Zoning By-law the City of Welland zoned the subject lands A1 Agricultural Zone to align the Zoning with the provisions of the deferred portion of the City's Official Plan. That Zoning was appealed by Mr. Froude.

The Proposal

The proposal before the City is a compromise to settle the longstanding/outstanding deferral of a portion of the City's Official Plan and to resolve the outstanding appeal to the City's Zoning By-law which is presently before LPAT. There have been ongoing discussions amongst the parties, (Regional Niagara Staff, City Staff, Mr. Froude's Planning Consultant, and respective counsel.) Those discussions have led to the proposal before Council and will settle the outstanding issues to the satisfaction of the parties.

Specifically, the City Official Plan will be amended as follows:

Adding Section 6.7.7. Area 7: Rural Residential - Southwest Welland (Froude Lands) as follows:

6.7.7.1 Planned Function

Area 7 is intended for single-detached residential development on large lots each serviced by individual, private on-site water and sewage services in accordance with the requirements of the respective approval authorities. Area 7 is planned to function as a rural residential area accommodating a maximum of eight (8) lots each having a minimum lot area of 0.8 hectares (2 acres).

6.7.7.2 Permitted Uses

Only single-detached residential dwellings and associated complementary/accessory buildings are permitted. Accessory buildings shall be

scaled and constructed in a fashion sympathetic to the primary residential use on the property.

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Emphasis will be on minimal disruption and negative impacts on the natural heritage system by preserving, protecting and enhancing existing environmental features/attributes, functions and linkages from development so that it displays a high level of environmental quality and amenity;

The visual impact of the development of the lands designated Special Policy Area 7 should be minimized by the use of measures such as vegetative buffers;

Additional lot creation by way of consent shall not be permitted;

Lands within the Special Policy Area 7 designation shall be developed on a condominium basis and included in a separate Zone category in the implementing Zoning By-law;

To ensure proper development of Special Policy Area 7 and a complete application submission the development proponent may be required to provide, satisfactory to the City and/or external agencies as appropriate, studies to address the following:

- land use compatibility issues;
- environmental constraints;
- on-site servicing constraints; and
- other impact studies deemed to be required in accordance with this Plan to ensure proper development of Special Policy Area 7.

In addition, the City's Zoning By-law will be amended to add Special Exception Zone RR – 91 Zone as follows:

- a. A total of eight (8) single unit dwellings shall be permitted in the RR-91 Zone;
- b. The minimum lot area for any lot within the RR-91 Zone shall be 0.8 ha.
- c. The minimum lot frontage for any lot within the RR-91 Zones shall be 25.0 metres;

- d. The minimum front yard for any lot within the RR-91 Zone shall be 10.0 metres;
- e. The minimum interior side yard for any lot within the RR-91 Zone shall be 4.5 metres;
- f. The minimum rear yard for any lot within the RR-91 Zone shall be 7.5 metres;
- g. The maximum building height for any building in the RR-91 Zone shall be 11 metres;
- h. The maximum lot coverage in the RR-91 Zone shall be 15%;
- i. Development within the RR-91 Zone shall be via condominium development process.

The Site

The lands that are subject to are this Official Plan and Zoning By-law are located on the west side of Colborne Street north of Forks Road are shown on Appendices # 1 and #2, Special Policy Area #7 and Concept Plan - Froude Lands respectively.

COMMENTS AND ANALYSIS

At the time of consideration of the 2010 Official Plan, Official Plan Amendment No. 67 (approved in 1988) included the subject lands within the City's Urban Area Boundary and designated them Light Industrial and Special Status Area. Upon review of a number of factors in the context of policies contained in OPA 67 and within the time horizon of the new Plan, including the likelihood of development of these lands for urban purposes on full services, Staff recommended that these lands be removed from inside the Urban Area Boundary and re-designated the lands from Special Status Area and Light Industrial to Rural.

As noted above, as a result of the concerns raised by property owners, the Region deferred its decision regarding the subject lands. In an effort to mediate and settle this matter without proceeding to a full LPAT Hearing, City Staff has presented an offer of settlement to the property owners. The settlement is implemented thorough the policy documents attached to this Report in Appendix III. Specifically, with regard to the City's Official Plan, the subject lands will be removed from the Urban Area Boundary and designated Rural as originally contemplated by Staff in their preparation of the 2010 Official Plan. Staff has suggested the creation of a Special Policy Area 7 as an offer of settlement, which would permit the creation of a single-detached dwelling development by Plan of Condominium containing a maximum of eight (8) lots with each lot having to

meet a minimum lot area and frontage, on private services. Specific policies are also included to ensure the proper development of the condominium plan in terms of protecting the environment, compatibility with surrounding land uses, development on adequate individual private service systems etc.

Staff is of the opinion, that the settlement offer described above has merit and represents a good compromise for all parties involved. As a result, Staff is seeking support from Council regarding the proposed settlement and thereafter request Regional Council to lift the deferral.

A virtual Public Information meeting was held by staff on Thursday 15 October 2020 at 7:00 pm.

Mrs. Farladeau, resident at 114 Colborne Street spoke to the application and raised a concern about the location of the access driveway to the proposed eight (8) lots.

Mr. Greg Hynde, Planning Consultant for the Froude's spoke in support of the proposal. During his comments Mr. Hynde indicated that appropriate buffering could be provided at the development stage as the proposal would proceed through a site plan process.

FINANCIAL CONSIDERATIONS:

None.

OTHER DEPARTMENT IMPLICATIONS:

None.

SUMMARY AND CONCLUSION:

The approval of the Official Plan and Zoning By-law amendment will resolve a longstanding/outstanding matter which will see, subject to Regional approval, the approval of a deferred portion of the City's 2010 Official Plan. It will also resolve an outstanding appeal to the City's 2017 Zoning By-law.

ATTACHMENTS:

- Appendix I - Schedule A to OPA #32 - Special Policy Area # 7
- Appendix II - Concept Plan – Froude Lands
- Appendix III - Draft City of Welland OPA #32
- Appendix IV - Draft Regional OPA
- Appendix V - Regional Niagara Comments

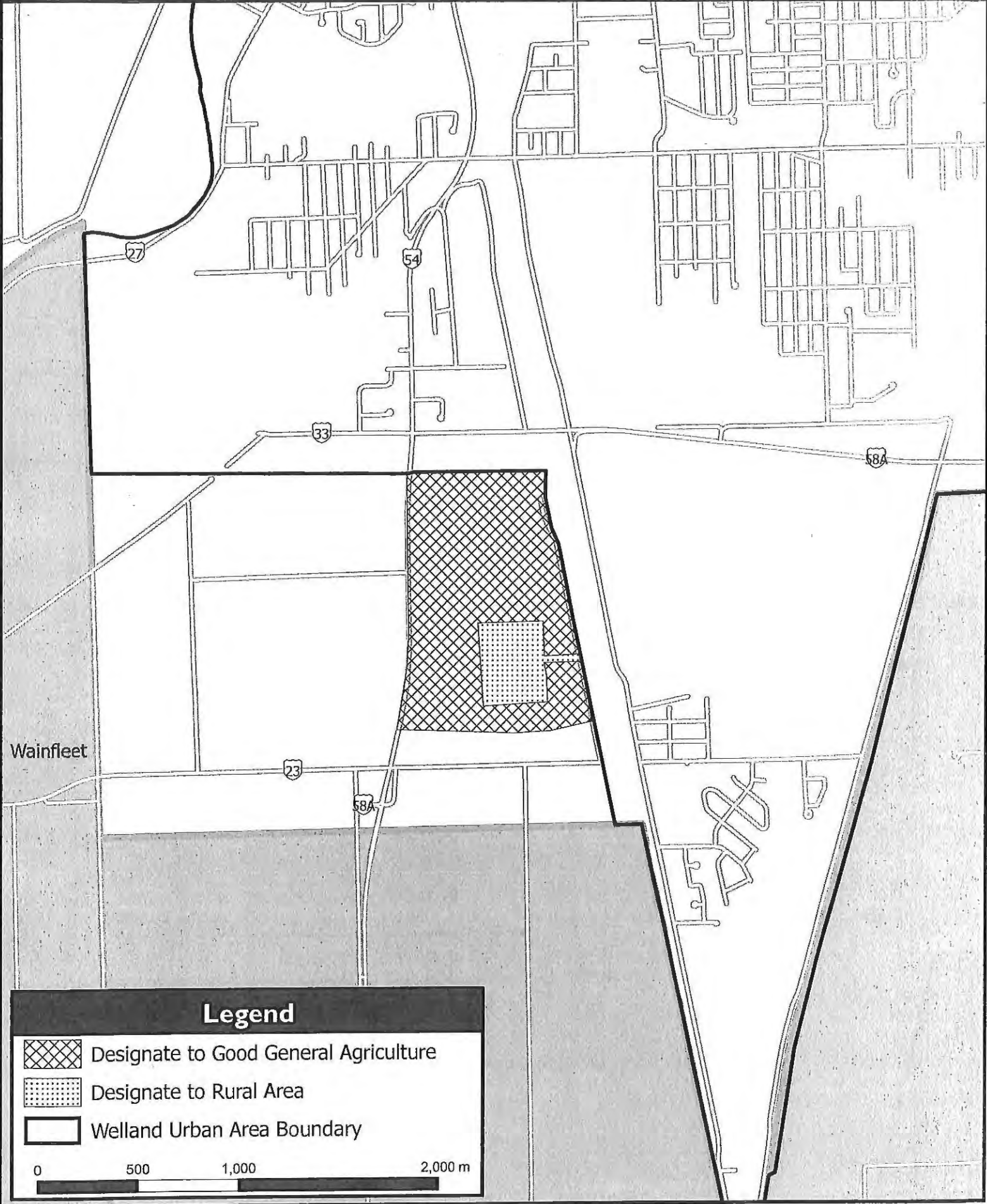


Legend






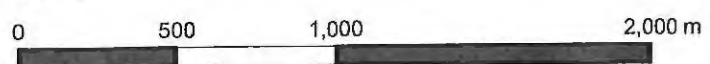
Site Specific Policy Area 13.K.1.5





Legend

-  Designate to Good General Agriculture
-  Designate to Rural Area
-  Welland Urban Area Boundary



APPENDIX # IV**AMENDMENT NO. 7
TO THE OFFICIAL PLAN
FOR THE NIAGARA PLANNING AREA****PART "A" – THE PREAMBLE**

The preamble provides an explanation of the Amendment including the purpose, location, background, and basis of the policies and implementation, but does not form part of this Amendment.

- Title and Components
- Purpose of the Amendment
- Location of the Amendment
- Background
- Basis for the Amendment
- Implementation

PART "B" – THE AMENDMENT

The Amendment describes the additions and/or modifications to the Official Plan for the Niagara Planning Area, which constitute Official Plan Amendment No. 7.

- Map Change
- Text Change

PART "C" – THE APPENDICES

The Appendices provide information regarding public participation and agency comments relevant to the Amendment, but do not form part of this Amendment.

PART "A" — THE PREAMBLE

TITLE AND COMPONENTS:

Once approved, this document shall be known as Amendment 7 to the Official Plan of the Niagara Planning Area.

Part "A" - The Preamble, contains background information and does not constitute part of this Amendment. Part "B" - The Amendment, consisting of text and map changes, constitutes Amendment 7 to the Official Plan of the Niagara Planning Area. Part "C" - The Appendices do not constitute part of the Amendment.

PURPOSE OF THE AMENDMENT

The purpose of this Amendment is three-fold:

First, to adjust Niagara Region's Urban Area Boundary in the City of Welland by removing certain lands from the Urban Area Boundary as indicated in this amendment (known as the "Froude Lands").

Second, to re-designate the Froude Lands, in parts, as rural area and good general agricultural, in Niagara Region's Official Plan.

Third, to provide site-specific policies for limited development on the rural area portion of the Froude Lands.

LOCATION OF THE AMENDMENT AREA

This Amendment applies to the Froude Lands, generally located north of Forks Road and east of Highway 58 in the southwest corner of the City of Welland. Mapping is provided as part of this Amendment.

BACKGROUND

In 2010, the City of Welland conducted a municipal comprehensive review that rationalized their urban land supply. An outcome of that work was the removal of the Froude Lands (approximately 110 hectares (272 acres) of land) from the urban area. Those lands were re-designated as rural.

The City's municipal comprehensive review culminated in the passing of its new Official Plan. The Region approved the City's Official Plan in 2011, but deferred a decision on the boundary as it relates to the Froude Lands, amongst other things. That deferral is the subject of this Amendment.

BASIS FOR THE AMENDMENT:

This Amendment will implement the compromise agreement between the parties. Specifically, it will include text and map changes to allow limited development on a portion of the Froude Lands.

The Amendment includes an update to Niagara Region's Schedule A: Regional Structure and Schedule A: City Structure of the Welland Official Plan to allow for a consistent urban boundary. Further, the Amendment will re-designate the Froude Lands in the Regional Official Plan from Urban to Rural Area and Good General Agricultural and consequential amendments to other maps in the Plan. Site-specific policies are provided for a portion of the Froude Lands to permit limited rural residential development.

IMPLEMENTATION

All policies of Niagara Region's Official Plan, including Section 13, Implementation of the Official Plan of the Niagara Planning Area, apply to this Amendment, except as specifically excluded by the policies of this Amendment.

PART "B" - THE AMENDMENT

**Amendment 7
To the Official Plan for the
Niagara Planning Area**

The Official Plan for the Niagara Planning Area is amended as follows:

Map Changes

1. The following Regional Official Plan schedules are amended to modify Niagara Region's Urban Area Boundary for the City of Welland to re-designate the subject lands from Urban to Rural Area and Good General Agricultural Area, consistent with the plan shown in Schedule A to this Amendment:
 - a. Schedule A: Regional Structure; and
 - b. Schedule B: Agricultural Land Base.

2. The following Regional Official Plan schedules are modified to remove the subject lands from the Urban Area boundary:
 - a. Schedule C: Core Natural Heritage;
 - b. Schedule E1: Transportation Infrastructure
 - c. Schedule E2: Strategic Cycling Network;
 - d. Schedule G1: Niagara Economic Gateway;
 - e. Schedule G2: Niagara Economic Gateway Employment Lands; and
 - f. Schedule H: Source Water Protection

Text Changes

The Official Plan for the Niagara Planning Area is amended as follows:

Part I – Modifications to Existing Policies

None

Part II – New Policies

The following text is added as Policy 13.K.1.5:

“Notwithstanding other policies of this Plan, the following applies to the lands generally located on the north side of Forks Road, east of Highway 58 in the City of Welland:

The lands north of Forks Road, immediately east of Highway 58, shall be designated in this Plan as good general agricultural area. No permissions other than those provided in Chapter 5.B of this Plan are permitted for these lands.

The lands north of Forks Road, east of the above-referenced good general agricultural lands, shall be designated in this Plan as rural area.

For the lands designated rural area, development may be permitted on approximately 8 hectares (19.77 acres) by way of a Plan of Condominium to create a maximum of 8 lots for single detached residential use on individual private water and sewage systems.

Prior to approval of the Plan of Condominium, the applicant shall submit supporting studies. The required studies will be determined at the pre-consultation meeting pursuant to the policies of this Plan.

The lands designated rural area are illustrated on a site specific map in Section 13.K of this Plan.”

Schedule A

[This will include ROPA Schedule and map for policy 13.k]

Part "C" - The Appendices

Via E-mail Only

October 21, 2020

 Files: D.10.11.OPA-20-0030
 D.18.11.ZA-20-0066

 Ms. Rachelle Larocque, MCIP, RPP
 Planning Supervisor
 Infrastructure and Development Services
 Corporation of the City of Welland
 60 East Main Street
 Welland, ON
 L3B 3X4

Dear Ms. Larocque:

Re: Local Official Plan (No. 32) and Zoning By-law Amendments
Applicant: City of Welland
80, 98, 122 and 148 Colborne Street
City of Welland

An application has been made by the Corporation of the City of Welland to redesignate the subject lands municipally known as 80, 98, 122, and 148 Colborne Street in the City of Welland to Area Specific Policy (Area 7) in the City Welland Official Plan. The purpose of the Amendment is to allow for an estate residential development with a maximum of eight (8) lots on private water and septic systems, having a minimum size of 0.8 hectares each (2 acres). The property is currently under zoning appeal in Zoning By-law 2017-117. An application for Zoning By-law Amendment has been submitted in conjunction with this application which will permit the development and set out site specific lot area, frontage, front yard, interior side yard, rear yard, building height, lot coverage provisions, and to require that the development on these lands must be completed through a Draft Plan of Condominium.

Staff from the Region and City have been working with the landowner to arrive at a mutually agreeable resolution for the deferred lands. The City proposes to advance the Local Official Plan and Zoning By-law Amendment applications by providing a designated rural area, where development may be permitted on approximately 8 hectares by way of a Plan of Condominium to create a maximum of 8 lots for single detached residential use on individual private water and sewage systems. Prior to approval of the Plan of Condominium, the applicant shall submit any supporting studies determined through a future preconsultation meeting.

Regional staff notes that the subject lands are within a deferred area in the City of Welland Official Plan known as Regional Official Plan Amendment (OPA) No. 7 (deferred by Regional Council). Changes to Municipal Boundaries are under regional jurisdiction and therefore, require Regional Council approval. As a result, the Region cannot exempt the City's OPA from Regional approval.

Further, it is appropriate to consider all of the planning instruments (City initiated OPA/ Zoning and Regional OPA No. 7) together in a comprehensive fashion to ensure the planning instruments align. As of the date of this letter, Regional staff has not been provided a copy of the City's staff report and planning opinion in relation to this matter.

Once the above has been addressed, Regional Staff will bring forward a recommendation report on the local OPA and Regional OPA No. 7 for Regional Council's consideration.

If you have any questions or wish to discuss these comments, please contact myself at Lindsay.Earl@niagararegion.ca or Isaiah Banach, Manager, Long Range Planning at Isaiah.Banach@niagararegion.ca. Please send notice of Councils decision on these applications.

Yours truly,



Lindsay Earl, MCIP, RPP
Senior Development Planner

cc: Diana Morreale, MCIP, RPP, Director, Development Approvals, Niagara Region
Isaiah Banach, Manager, Long Range Planning, Niagara Region

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCIL**INFRASTRUCTURE AND DEVELOPMENT SERVICES**

20-104

**REPORT P&B-2020-63
OCTOBER 27, 2020**

**SUBJECT: NORTHWEST WELLAND OFFICIAL PLAN AMENDMENT
(OPA 29) AND URBAN DESIGN GUIDELINES**

**AUTHORS: RACHELLE LAROCQUE, BES, M.Sc., MCIP, RPP
PLANNING SUPERVISOR**

**GRANT MUNDAY, B.A.A., MCIP, RPP
MANAGER OF DEVELOPMENT APPROVALS**

**ROSE DI FELICE, M.PL., MSC., MCIP, RPP
MANAGER OF POLICY PLANNING**

**APPROVING G.M.: TRAVERS FITZPATRICK
GENERAL MANAGER,
INFRASTRUCTURE AND DEVELOPMENT SERVICES**

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND adopts Official Plan Amendment No. 29 to re-designate lands generally described as bordering the City of Welland municipal boundary with the City of Thorold and the Town of Pelham to the north, Niagara Street (Regional Road 50) to the east, the existing City of Welland urban area to the south and Clare Avenue to the west (Northwest Welland Secondary Plan area) from Agriculture, Residential, Institutional, Open Space and Recreation and Core Natural Heritage System to Low Density Established Residential, Low Density Greenfield Residential, Medium Density Residential, General Institutional, Open Space and Recreation, Environmental Conservation Area and Environmental Protection Area thereby implementing the proposed urban land use designations and policies for the proposed Northwest Welland Secondary Plan;
2. That Welland City Council endorses the Urban Design Guidelines for the Northwest Welland Secondary Plan area prepared by SGL Planning & Design Inc. dated August 2020 to guide the implementation of the Northwest Welland

Secondary Plan through future development approval processes;

3. That Welland City Council directs Staff to prepare the necessary By-laws;
4. That Welland City Council directs Staff to circulate a copy of Report P&B-2020-64 to Niagara Region advising of its adoption of Official Plan Amendment No. 29 to include land use designations and policies recommended by the Northwest Welland Secondary Plan; and
5. That Welland City Council requests that Niagara Region Council approve Official Plan Amendment No. 29 for the City of Welland.

ORIGIN AND BACKGROUND:

On December 17, 2019 Council adopted Official Plan Amendment No. 24 (OPA 24) encompassing that portion of the City referred to as the Northwest Area the purpose of which was to align the City's urban area boundary with its municipal boundary. Following Council's approval of OPA 24, the City made Application for a Regional Official Plan Amendment (ROPA 18) to add approximately 190 hectares (470 acres) of land to its urban area and re-designate these lands as Urban in the Region's Official Plan. The City's Application was deemed to be complete on July 24, 2020.

Niagara Region is the approval authority for OPA 24. As OPA 24 and ROPA 18 are related, they are being processed and brought forward by the Region concurrently. The Region's final decisions on these Amendments will be subject to an appeal period.

As a result of the finalization of the Northwest Welland Secondary Plan, Official Plan OPA 29 was initiated by the City in order to implement the land uses and design criteria recommended by the Secondary Plan and associated Urban Design Guidelines. The Secondary Plan encompasses the same 190 hectares (470 acres) of land as OPA 24 and ROPA 18 generally described as bounded by the City's northern municipal boundary with the City of Thorold and the Town of Pelham, the rear lot lines of properties that front onto Niagara Street to the east, the existing City urban boundary to the south and Clare and Line Avenues to the west. For information purposes, a Key Map showing the location of the Amendment Area (Northwest Welland Secondary Plan area) is attached as Appendix I. If adopted by Council, the Region of Niagara, as the approval authority, will be forwarded OPA 29 to begin its review process its final decision being subject to an appeal period.

On September 22, 2020, Council held a Statutory Public Meeting on Draft Official Plan Amendment (OPA 29) and the Proposed Draft Northwest Welland Secondary Plan and requested Staff to report back to Council on this matter as

soon as possible. Through the public/agency engagement process comments were provided. The public and agency comments received have been summarized and specific responses provided to the comments in Appendix II.

COMMENTS AND ANALYSIS:

The Proposal

The proposal before Council is an Application to amend the Official Plan for the Northwest Welland Secondary Plan area of the City to provide specific land use designations and planning policies including design criteria to be implemented in this area at the time of development.

The Site

The lands are currently comprised of a mix of rural, agricultural, residential, open space and recreation and institutional uses, as well as areas identified as core natural heritage system. The subject lands encompass approximately 190 hectares (470 acres).

Surrounding Land Uses

To the north and west of the subject lands is the City's municipal boundary with the Town of Pelham and the City of Thorold. To the east are the rear lot lines of properties which are accessed by Niagara Street. To the south is the existing urban area of the City and to the west are Clare and Line Avenues.

Agency and Public Comments

The public and agency comments received have been summarized and specific responses provided to the comments in Appendix II. Matters raised through the public/agency engagement process resulting in changes to the Secondary Plan and OPA 29 are discussed below and shown on Appendix III attached to this Report.

City Staff and the consultants considered input from the public and agencies on OPA 29 presented at the Statutory Public Meeting on September 22, 2020 as well as any written correspondence that were received. In response to the input received and based on various comments from interested parties and agencies, the consultant team has revised OPA 29 which is the Secondary Plan policies and land use designations. Based on the comments received, modifications to the Secondary Plan were made. The final draft of OPA 29 has been provided as Appendix III to this report.

A summary of the comments that have resulted in changes is found below:

Comment	Change
The requirement for an archaeology stage 2 and cultural heritage impact assessment needs to be included in the Secondary Plan policy.	A new Section 4.4 was created to reflect Arts, Culture and Heritage. This section includes requirements for Archaeological Assessments and Cultural Heritage Impact Assessments. Stage 2 Archaeological Assessments will be required for all new developments, a Cultural Heritage Impact Assessment only where the development is proposed adjacent to an identified or potential cultural heritage resource.
Headwater Drainage Features and other wetland features have not been identified on the mapping, nor have policies been included which would require their future study in the future.	Section 3.8 has been updated to include policies regarding Headwater Drainage Features, as well as small wetlands. Appendix 1 – Map 4 has also been created to include other wetland features outside of the EPA and ECA designations.

The Region of Niagara submitted an extensive list of comments that were reviewed and responses provided. Many of the comments, questions, and suggestions raised by the Region can be addressed through Pre-Consultation Meetings prior to the submission of development applications, rather than including it as policy in OPA 29. As such, the changes to the proposed OPA 29 have been minimal from the original submission.

Policy Review

The full policy review for compliance was completed in the Rationale for Urban Growth in Northwest Welland and the Scoped Planning Rationale Report for the Northwest Welland Amendment Area, prepared by SGL Planning & Design Inc. on behalf of the City. These Reports identified that the proposal complies with Provincial, Regional and City policy and supports the Urban Area Expansion as well as the Secondary Plan. Staff will rely upon these documents as the policy review to support the Secondary Plan. Changes to OPA 29 and the Proposed Secondary Plan in response to comments received do not impact compliance with Provincial, Regional and Local policies.

FINANCIAL CONSIDERATIONS:

There are no financial considerations resulting from the contents of this Report. Any future costs of developing the lands in this area will be the responsibility of the individual developers. In addition, when the City updates its Development Charges Background study and By-law provisions will be made to include necessary charges relative to the development of the area.

OTHER DEPARTMENT IMPLICATIONS:

There are no implications to other Departments as a result of the contents of this Report. Where comments have been received, they have been included as Appendix II to this report.

SUMMARY AND CONCLUSION:

In response to input received, the consultant team has revised the Draft Proposed Secondary Plan land use designations and policies. The Recommended Northwest Welland Secondary Plan includes minor changes from that presented at the September 22nd Public Meeting such as the addition of an Appendix to the Secondary Plan (Appendix 1 – Map 4 Northwest Welland Hydrological Features) that identifies the area's headwater features (not contained within an Environmental Protection or Conservation Area designation), other wetlands less than 0.5 hectares (not contained within the Natural Heritage System) and the floodplain. A corresponding policy has been added to the OPA to require further evaluation of these features prior to development. A Cultural Heritage Policy set has also been included.

Based on the work completed in preparing the Recommended Northwest Welland Secondary Plan and Urban Design Guidelines, approval of the Application to amend the Official Plan to implement the Secondary Plan represents good planning and can be supported as it:

- Promotes the creation of a complete community by including a mix of residential, commercial, institutional and community uses which is consistent with policies in A Place to Grow: Growth Plan for the Greater Golden Horseshoe;
- Sets a clear framework for planning the development of this area in the future;
- Provides a mix of residential densities;
- Promotes active transportation (a walkable and bikeable community);
- Will meet a minimum of 50 persons and jobs per hectare; and,
- Promotes a high degree of urban design.

ATTACHMENTS:

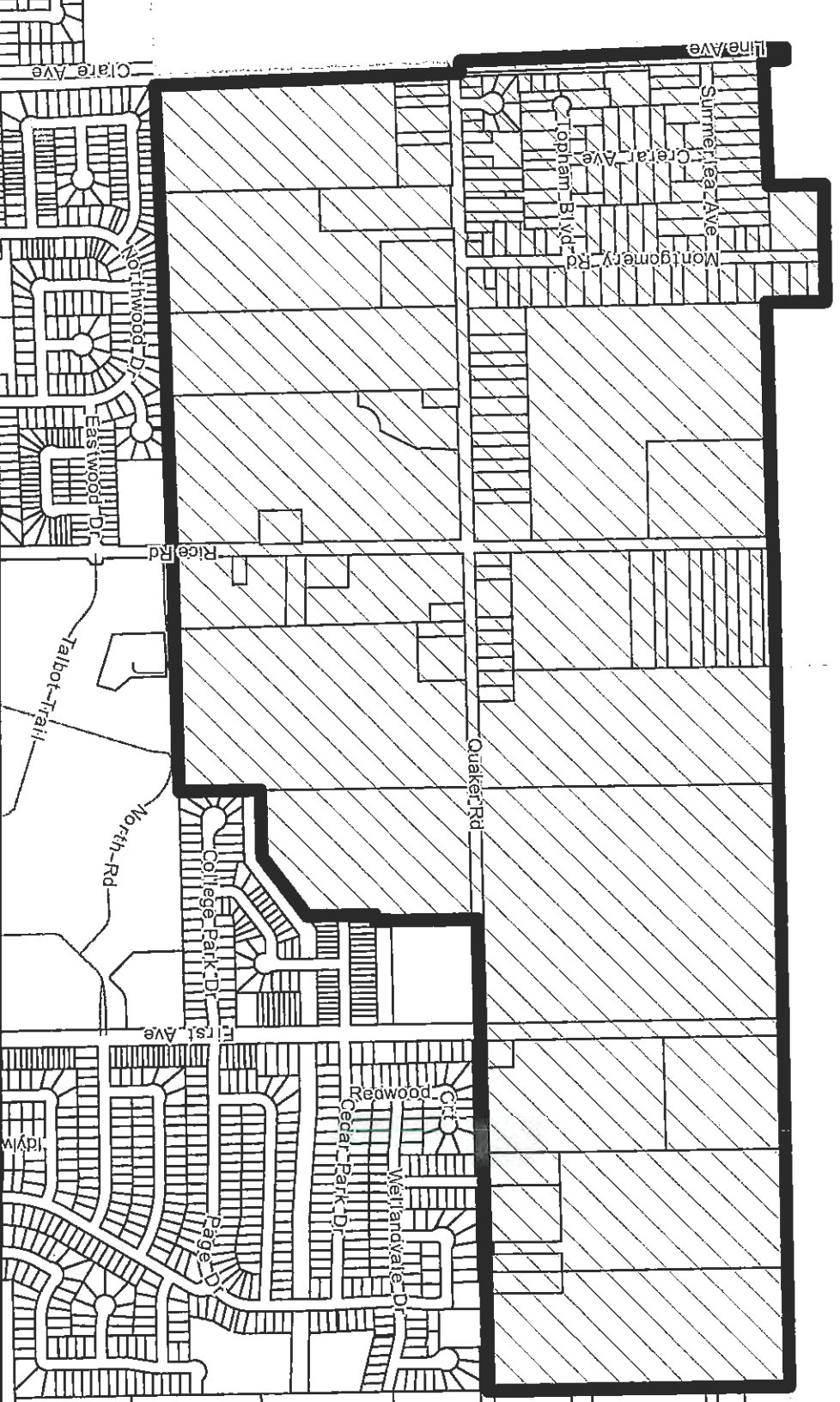
Appendix I – Key Map

Appendix II – Responses to Comments Received/Copies of Correspondence

Appendix III – Secondary Plan

TOWN OF PELHAM

CITY OF THOROLD



KEY MAP
Northwest Area



SUBJECT LANDS



Z:\MAPS\GIS\LOCATION MAPS\2017\NET 1\Northwest Area.aprx

Infrastructure and
 Development Services
 Planning Division



MEMORANDUM

Oct. 1, 2021

Attn: Paul Lowes, SGL Planning

**CC: Catherine Jay, SGL Planning
Grant Munday, City of Welland
Dave Maunder, Aquafor Beech**

**Re: Peer Review
Natural Heritage Assessment Summary Letter - 330 Rice Road
City of Welland**

Aquafor Ref: 66295

Aquafor Beech was recently provided a letter report from Mr. Ian Barrett of Colville Consulting Inc. regarding a property at 330 Rice Road in the City of Welland. The property in question was previously assessed by Aquafor as part of the Welland North West Secondary Plan project; Aquafor staff completed field investigations for Phase 1 of that assignment in 2018 and published the results in a Natural Heritage and Natural Hazards Existing Conditions report dated April 2019.

The letter report from Colville Consulting provides a different characterization of the property's natural heritage features than was identified by Aquafor. This letter discusses the differences between the two documents and provides input on future actions.

Confirmation of Scope of Work

A necessary point of clarification pertains to the assumption made by Mr. Barrett that Aquafor's site assessment was "based only on an observation from Seneca Trail" (i.e., that our assessment was completed only from adjacent properties and was not based on on-site observations). This assumption is incorrect. Our records indicate that permission to enter was granted for the property in question, and that staff completed field investigations on that property; the relevant field data sheet has been attached to this letter for reference.

The size of the study area for the Welland North West Secondary Plan was large and field staff often could not dedicate large amounts of time to any one location. Therefore, we acknowledge that a site-specific investigation which focuses on one property only, such as Mr. Barrett's assessment of 330 Rice Road, may result in a higher level of detail than would have been possible with the larger Secondary Plan study scope. That said, Aquafor's qualified and experienced ecology staff did complete on-site investigations and the results of those investigations should not be seen as invalid or superseded simply because another study published different results.



MEMORANDUM

Oct. 1, 2020

Vegetation Communities

The following subsections provide a technical review of vegetation on the subject property, and compare the results obtained by Aquafor Beech and Colville Consulting.

Aquafor Beech Assessment

The subject property contains a single contiguous vegetation patch which is the subject of discussion in this memo. Aquafor's assessment of the property using the 'First Approximation' Ecological Land Classification (ELC) protocol for Southern Ontario (Lee *et. al* 1998) resulted in the patch being given a single community type of SWD2-2, Green Ash Mineral Deciduous Swamp. The description of this unit (Polygon E1) provided in Appendix B of the Welland North West Secondary Plan - Natural Heritage and Natural Hazards Existing Conditions report is as follows:



“Red Ash is dominant in both canopy and subcanopy, with Red Maple, Freeman’s Maple, Norway Maple, White Elm, and Common Buckthorn present in lesser amounts. Common Buckthorn dominates the understory. Panicked Aster was the most abundant species in the ground layer; other species present include Creeping Bent Grass, Onesided Aster, Canada Enchanter’s Nightshade (Circaea lutetiana ssp. canadensis), Wild Strawberry, Selfheal, Canada Blue Grass (Poa compressa), Canada Goldenrod, and Yellow Avens (Geum aleppicum).”

Please note that Red Ash and Green Ash are both common names that refer to the same species, *Fraxinus pennsylvanica*. The common name of Green Ash will be used for the remainder of this document.

The attached field data sheet provides additional information on the soil sample that was evaluated in this polygon in order to identify a moisture regime of 4/5 or moderately moist to moist. The 1998 ELC manual indicates that wetland systems exist at moisture regimes greater than or equal to 5; therefore, at the location where the soil sample was taken, at least, the soil moisture conditions place the community on the border between moist lowland and wetland types. The moisture regime considered in concert with the plant species composition is what led to the identification of a Green Ash Mineral Deciduous Swamp on the property.

Colville Consulting Assessment

Colville Consulting's recent letter report suggested alternative mapping of the vegetation communities within the patch, as follows:

- WODM5 - Fresh - Moist Deciduous (Red Maple) Woodland Ecosite: Red Maple and White Elm canopy, with White Elm, Red Maple, Glossy Buckthorn, Common Buckthorn,

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Page 2 of 6

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Oct. 1, 2020

and Green Ash in subcanopy. Shrub layer almost exclusively dominated by Common Buckthorn.

- SVDM4 - Fresh - Moist Deciduous (Buckthorn) Savannah Ecosite: Sparse canopy dominated by dead/declining Green Ash; dense shrub layer dominated by Common Buckthorn. From the given description of this polygon and the stated dominance of shrubs, we suggest that the unit may more appropriately be considered a thicket rather than a savannah.
- MAS2-8/MAM - Rice Cut Grass Mineral Shallow Marsh: Linear community along a watercourse dominated by Rice Cut Grass, bordered by a narrow transitional band of thicket dominated by Silky Dogwood and Glossy Buckthorn.



The above information was gathered during a single site visit in August 2020. It is unclear whether the work completed by Colville Consulting was scoped with the City and applicable agencies beforehand to confirm that a single-season botanical review would be sufficient to characterize this site. No screening for Species at Risk or their habitat was provided.

The plant species identified by Colville Consulting are generally in keeping with those species documented previously on the property by Aquafor. It is unclear from the letter report, however, whether soil sampling to confirm moisture regime was completed as part of Colville Consulting's ELC assessment; field data sheets were not provided with their document. It is worth noting that a 'woodland' ecosite, such as the one identified by Mr. Barrett, is typically defined as having lower % tree cover than the 'forest' community series, but that swamps may also have a lower tree cover than forest types. Soils investigation to identify moisture regime would be required to confirm the community type(s) present.

Comparison

For all that ELC is a standardized system, there is still a certain amount of personal interpretation applied by the practicing ecologists in order to place vegetation communities within the pre-defined categories. It is not unreasonable for two different ecologists to come up with two different community types for the same vegetation polygon, especially for communities with anthropogenic influence (such as, for example, a high proportion of non-native species). Since the ELC protocol was developed mainly for naturally-occurring



Oct. 1, 2020

community types, such anthropogenic communities often do not fall neatly into the pre-defined categories.

For the subject property, both Aquafor and Colville Consulting seem to be in agreement that the patch at one point contained a wooded community type dominated or co-dominated by Green Ash. The invasion of Emerald Ash Borer (EAB) has caused a rapid decline in ash tree species in Ontario which has, more than once in our experience, caused ash-dominated forest or swamp communities to succeed to open woodlands or thickets. Buckthorn-dominated thickets are particularly prevalent where the highly-invasive buckthorn is already present in the understory. Therefore, we do not find it unreasonable for Mr. Barrett to have identified a buckthorn shrub-dominated community plus a non-ash-dominated wooded community on the property. Aquafor's 2018 assessment already noted that ash trees were infected with EAB and in decline at that time.

We are, however, unable to comment on whether the extent of the identified buckthorn community on the property is accurate or whether portions of it may still be dominated by living trees. Further, we are unable to comment on whether the buckthorn-dominated area should be considered a thicket swamp without soil sampling data to confirm the moisture regime throughout. It is our experience that these transitional buckthorn communities taking hold where ash-dominated communities previously existed are very difficult to classify as wetland or upland without an assessment of soil moisture. Similarly, soils information would be required to confirm that the identified Red Maple Woodland would not more appropriately be classified as a swamp, since Red Maple, White Elm, and Green Ash are commonly swamp species associates.

Natural Heritage Discussion

The following subsections discuss the subject property with regard to the City of Welland's natural heritage polices and the criteria of the Natural Heritage System (NHS).

Wetlands

The primary question that must be resolved is whether all or a portion of the vegetation patch is wetland. Wetlands over 0.5 ha in size meet the criteria for inclusion in the NHS. Smaller wetlands may also be considered for protection by the City as Key Hydrologic Features (as is discussed in Aquafor's Natural Heritage and Natural Hazards Existing Conditions report) since even small wetland areas may provide headwater function for watercourses and/or have noteworthy features such as seepage areas or wildlife habitat.

Aquafor previously identified the entire vegetation patch as a swamp community. Colville Consulting identified a small wetland community along the watercourse in the southern portion of the site, and characterized the remaining area as woodland and savannah but did not provide information on soils/moisture regime to support this classification as compared to a swamp/thicket swamp classification. Colville Consulting should be asked to provide that information or to acquire it if they did not assess soils at the time of their field investigations.



Oct. 1, 2020

Significant Woodland Designation

For the purpose of this review, the pertinent criteria for Significant Woodland designation under the City's OP are:

- *In size, be equal to or greater than 2 hectares, if located within or overlapping the Urban Area Boundary; and*
- *Overlap or contain one or more of the other significant natural heritage features listed in Policies 6.1.2.1.C.*

Aquafor's Natural Heritage and Natural Hazards Existing Conditions report applied the City's NHS criteria and identified the feature as a Significant Woodland as it was "*approx. 2 ha in size, and consists of a wetland community type (swamp)*". By the criteria noted above, it was significant in its size and also significant in that it contained other listed natural heritage features (wetland, and potentially fish habitat via the southern watercourse).

Colville Consulting's report indicated that the total wooded area of the patch (i.e., not including the area of buckthorn thicket) was less than 2 ha, in which case the woodland portion of the patch would fall below the threshold, and the patch would no longer meet that criterion for a Significant Woodland. However, any wooded area overlapping or containing a wetland would qualify as a Significant Woodland and, as previously discussed, the question of wetland on the property has not been resolved. Colville Consulting also did not identify the potential for Significant Woodland in their deciduous woodland community that overlaps with contributing fish habitat in the southern watercourse.

Other Considerations

It is unclear whether Colville Consulting conferred with the City and other applicable parties prior to completing their assessment in August, 2020, so as to confirm that the scope of work was appropriate to characterize the site. Only one season of botanical review was completed (summer); it is our experience that spring botanical surveys are frequently also required as a minimum for wooded communities, since spring ephemerals may be present.

Although Colville Consulting's document stated "no Endangered or Threatened species or Species of Concern documented on property", screening and assessment of Species at Risk (SAR) was not provided nor was there indication that the Ontario Ministry of the Environment, Conservation, and Parks was contacted to confirm SAR data and survey requirements. At the very least, wooded habitats in southern Ontario are typically considered to provide habitat for Endangered bat species until appropriate surveys have been completed to prove otherwise.

We agree that the watercourse in the southern portion of the property should be considered a component of the NHS.

Concluding Discussion

Aquafor has reviewed the document provided by Colville Consulting and suggests that additional study is required in order to confirm natural heritage features and functions on the



MEMORANDUM

Oct. 1, 2020

subject property – mainly, assessment of soil characteristics/moisture regime is required to confirm the presence/absence of wetland conditions. Other tasks, such as an assessment of Species at Risk and other wildlife habitat potential and spring botanical surveys, may be required as part of that study. The scope of the required study should be confirmed with the City and applicable agencies through pre-consultation and the submission of a study Terms of Reference for review and approval. Considering that this vegetation patch is currently a protected part of the NHS, we feel it should continue to be considered significant until it is comprehensively proven otherwise.

Removal of the Environmental Conservation Area designation from this feature will undoubtedly result in the feature's destruction during development of the property, leading to the loss of 2 ha of natural cover from the landscape. As recently as two years ago, Aquafor ecologists assessed this feature as a wooded community and a Significant Woodland. Although this community has been disturbed by the invasion of EAB and the resulting rapid decline of canopy ash trees, given time new canopy trees could establish. Disturbance is often an integral part of woodland life cycles; for a forest patch affected by storm damage, for example, it would not be appropriate to redesignate that patch and remove it from the NHS, because the canopy will regenerate over time. In this case, it is an invasive pest of anthropogenic origin that has caused the decline of canopy ash trees. However, we do not believe the anthropogenic nature of this disturbance should disqualify it from the above consideration – looked at another way, any other anthropogenic activity that removed a large portion of a Significant Woodland would likely be seen as a violation of City policy for which compensation measures (e.g., replanting) would be required. This is not intended to imply that the landowner should be held responsible for damage caused by EAB, but rather to highlight that the situation is unprecedented as far as the application of environmental policy and the protection of NHS features is concerned. It may be appropriate in this instance to consider solutions beyond a “letter of the law” application of significance criteria in favour of honoring the spirit of the City's stated objectives of maintaining a healthy natural environment and protecting its natural heritage system from degradation (City of Welland OP, Section 6.1 – Environment).

Memo prepared by:

Julie Scott
Terrestrial Ecologist and Ecology Lead
Aquafor Beech Ltd.

Attach: ELC Field Data Sheet for Polygon E1

Here are my questions and concerns about the proposed Northwest Welland Official Plan and Secondary Plan. (OPA No. 29)

1. What will be done with the land West of Seneca Trail Rd, sold (under Royal Lepage), if it an Environmental Conservation Area?
2. What will be done with the lot, that was identified in the past as Block 60 (between addresses 149 and 157 Northwood Dr.)? It is the only lot that was not developed on Northwood Dr. We are glad that you have not used it as a road accessing the new area between Clare, Quaker, and Rice.

Concerns:

1. Buildings more than 3 storeys should not be allowed in medium density residential areas, because this will take away from the natural heritage of this area, which is a rural area. Some of these early farmers helped to develop this area: Goodwillie, Page, Glinz, Moore, Rice, Sisler. Swayze, Daugherty, Guiners, only to name a few...
2. Buildings 4 to 8 storeys high would be too high for the mixed use areas, since there are mostly one storey homes in those areas. This should be re-examined.
3. The natural habitats for certain species of trees, bushes, flora (native to the Carolinian forest) and to the area should be preserved. A **more transparent examination** as to which habitats will be destroyed should be taken into account when agricultural land, wetlands and the few small forests that are left are being developed.
4. On the farms running from Quaker road to Northwood Dr., we have noticed that ducks nest at the south end of the field every spring, in the area near the cattails (that have been recently cut by someone). Large flocks of Canada geese spend lots of time in that same field, in the fall and in the spring. It seems to be part of their migration route. This will be lost when this area will be developed.
5. In your Central Welland River Watershed Plan, you present the importance of preserving the Carolinian Life Zone. The few remaining hedges separating the fields are important ecological corridors (green infrastructure), for numerous reasons (protection, drainage, prevents erosion, shelter for numerous beneficial animals and insects, and often contains a considerable variety of shrubs (often flowering) and trees. Preserving some of these hedges, after having given them some maintenance, would be beneficial.

These are excerpts of the Central Welland Watershed Plan:

In terms of agricultural lands, it is the intent of the City of Welland through the Official Plan to “protect prime agricultural lands by appropriately designating them and discouraging their redesignation or severance” (Section 5.1.1.1). In addition, the City will limit the land uses within this designation to farming and agriculturally-related activities (section 5.1.2). p. 33

Corridors provide an increase in functionality of core areas, even smaller or fragmented areas, by not only facilitating in the movement of larger mammals between natural areas, but “they are also essential for the movement and maintenance of genetic diversity for virtually all species regardless of size or species-pollen and seeds and other genetic material are passed along corridors” (Pim No Date). p. 39

Welland’s Built Boundary was determined by the province through the GGH. This boundary represents the limits of existing development within the existing Built-Up Area. The provincial Built Boundary is important for “measuring and monitoring intensification rates”(Section 3.4.2.3) as all growth within this zone is considered as intensification. The lands between these two boundaries are Greenfield Areas which are not built-up. However, as indicated earlier, the GGH has identified these designated Greenfield areas as the focus area of future intensification with an overall minimum density target of 50 jobs and residents per hectare. p. 33

https://npc.ca/images/uploads/common/NPCA-Watershed_Plan-Central_Welland_River.pdf

September 14, 2020

Ms. Rose DeFelice, MCIP, RPP
Manager of Policy Planning
Infrastructure and Development Services
City of Welland
60 Main Street East
Welland, ON L3B 3X4

Dear Ms. DeFelice:

**RE: Northwest Welland Draft Secondary Plan and Urban Design Guidelines
Regional comments**

Thank you for the opportunity to provide comments on the Draft Secondary Plan and Urban Design Guidelines for Northwest Welland.

The Region is committed to working collaboratively with the City on this project. The entire study area is part of an urban boundary expansion request (draft Regional Official Plan Amendment 18 and adopted local Official Plan Amendment 24).

It is noted in these comments that there are some significant missing details related to infrastructure information, development phasing and environmental/natural heritage information. Please consider these comments draft until the team has met to discuss on September 15. These discussions may result in amended comments.

Please find below the technical comments on:

- Key Directions Report for the Northwest Welland Secondary Plan Area (June 2020)
- Northwest Welland Secondary Plan Transportation Assessment - Preferred Plan (May 2020)
- Northwest Welland Secondary Plan Municipal Servicing Conceptual Design Report (August 2020)
- Welland Northwest Area Secondary Plan - Stormwater Management Plan (February 2020)
- Draft Secondary Plan policies (August 2020)
- Draft Urban Design Guidelines (August 2020)

Regional Planning Comments:

Key Directions Report:

Page 5 – please confirm that all school boards were engaged in this process and the need for school sites was re-confirmed as noted in the report. Also, that the reduced size is supported by the school board.

Page 10 – why has the entire evaluation matrix not been provided? It should be included as an appendix. Please provide for the Region's review.

City Reponse – The matrix was completed and we have sent it to the Region.

Page 17 – where is the summary of the recommended direction on the total land areas and units? What scenario are these units based on (assuming a range of density)? Does it reflect a mix of built form in each designation? There is only a brief comment on it in the housing mix section. Please provide more detail for the Region's review.

SGL Response: Table 3: Preliminary Preferred Land Area and Units is included within Section 4 of the Key Directions Report (Page 23). This table outlines the gross land area and unit count for the preferred land use plan, with 1,820 planned total housing units. Based on this table, approximately 67% of housing is planned to be Low Density, approximately 25% is planned to be Medium Density and approximately 8% is planned to be Mixed Use.

Page 17/18 – the requirement for an archaeology stage 2 and cultural heritage impact assessment needs to be included in the Secondary Plan policy.

SGL Response – This has been incorporated into the Secondary Plan policies under a new section: 4.4 Arts, Culture and Heritage.

Page 18 – add summary on the natural heritage section

City Response – This is not necessary

Page 22 – more detail is needed for Section 4.2 and 4.3

City Response – This is not necessary these sections are detailed enough. If you wanted more detail then why are you not provided it, there are 19 pages of comments currently.

Page 23 – similar comment to page 17, also how many jobs are anticipated for mixed use?

SGL Response: Based on Table 3: Preliminary Preferred Land Area and Units included within Section 4 of the Key Directions Report (Page 23), there are 149 Mixed Use Units planned within a Gross Area of 3.20 hectares. Based on a mix of building forms and formats, approximately 100 jobs are anticipated for the designation.

Page 24 – does the City want to consider policy related to the fiscal impact assessment recommendations?

City Response – No we do not want to consider this.

Page 27 – conclusion notes 6 potential locations for SWM ponds – should these be conceptually shown on the Land Use Plan?

City Response – No this is too much detail at this stage.

Page 28 – there is no discussion on the difference between the established residential and the LDR - greenfield.

City Response – This will be dealt with as part of our Comprehensive Zoning By-law

Page 29 – for consideration: does the City want to permit the full range of uses within the residential designation of the SP (i.e. elementary schools, places of worship, neighbourhood commercial) or focus this to the mixed use designation?

City Response – Public uses (including School Boards) are permitted in all zones in the Comprehensive Zoning By-law 2017-117.

Page 30 – it is noted that a max area of commercial/retail building is included in this report but has not been added within the SP. Is the intent to include in zoning?

City Response – Yes as you are aware Zoning By-law implement official plans and are applicable law.

General - there was no reference to previous land uses and potential site contamination. Particularly the soccer club owned by the City. Although a community use, the large scale application of pesticides (similar to a golf course) is a potentially contaminating activity under the Environmental Protection Act. Environmental Site Assessments may be required on a site specific basis (if they haven't been completed yet).

City Response – I am sure the Region is aware a building permit cannot be obtained where a Record of Site Condition is required, we will deal with the requirements for an RSC on a case by case basis through our Pre-consultation Process as is normal.

Question: Is the City going to upgrade the existing infrastructure (urbanize the streets) within the built-up area? Further, will a pedestrian connection be made to the large Park at the end of Montgomery Street (as there are no shoulders or sidewalks down these roads)?

City Response – We will deal with this issue through our normal process for road urbanization, municipal standards, capital plans and development charges.

Staff do not object to the preferred land use Option #2 as it will allow for more mixed use and more medium density.

City Response – Thank you

Secondary Plan Policies:

Throughout the document it references both the City's UDG and the NW Welland UDG, there should be a statement/policy as to which prevails if there is a conflict.

City Reponse -- These are guidelines not firm requirements so we are not concerned about this.

Page 2 – the Urban Design Guidelines should provide direction for infill development. Please see comments from UD staff below.

City Response – Infill will be implemented through our CZBL 2017-117 as it is currently be done in the rest of the City.

Page 2 – 2.2 – built and cultural heritage resources have been identified and a cultural heritage impact assessment required per Cultural Heritage Resource Assessment (CHRA) for the Northwest Welland Secondary Plan Area (ASI 2019). Recommendation 3 of the report noted that "identified potential cultural heritage resources may be historically, architecturally, and/or contextually significant properties, which have emerged from their contextual setting, and contribute to land use patterns within the Northwest Welland Secondary Plan study area. Accordingly, any proposed development on or adjacent to an identified potential cultural heritage resource should require a cultural heritage impact assessment to further assess the cultural heritage value of the identified potential cultural heritage resources, and to ensure that the cultural heritage resources in the study area are conserved." The future study requirement should be included as policy in this Secondary Plan.

City Reponse – This will be dealt with as part of our normal Pre-Consultation process and we will look at this on a case by case basis. We are not going to be required studies that are not needed in some cases.

Page 3 – should the driveway widths be in the UDG or zoning rather than the Secondary Plan? There is more opportunity to vary or consider on a site by site basis that way.

City Reponse – Minimum driveway width it already regulated in the Zoning By-law

Page 2 – Established Residential – this is a new residential designation not included in Welland's hierarchy. Are there any permitted land uses that you would not want to permit from Policy 4.2.2.2?

City Response – This will be deal with in Zoning existing residential areas already have the RL1 Zone in most cases which limits the uses.

Page 4 – Medium Density - there does not appear to be a building height limit in the SP policies or the parent plan. Is this this intent?

City Reponse – Yes the parent plan limits height between 4 and 6 storeys. Secondary Plan Policy 3.3.3 also limits heights to 6 storeys. The RM zone in our Zoning By-law permits 6 storeys. Medium Density designated proposed will be Zoned RM – Medium Density Residential.

Page 5/6/7 – Mixed Use – intent is for the mixed use to provide a range of higher density housing, does this relate to the high density residential designation of the parent OP? The permitted land uses appear to be more in line with the Medium Density designation. The policies for mixed use is somewhat confusing and contradictory when you read all the policies together. Can there be stand-alone residential based on bullets 2 and 3 of 3.4.2? The last bullet point of 3.4.2 provides direction for permitted residential buildings but does not provide any additional direction or reference to either policies of the SP or the parent OP.

SGL Response. – We don't believe that the policies are contradictory at all.

City Response – We are fine with the way it is proposed. Mixed-use up to 8 storeys and stand-alone commercial 2 storeys.

In terms of scale, is the entire mixed use designation a max of 4 storeys or only at the intersection? Is there a maximum height for standalone residential?

City Reponse – The maximum height for mixed use or stand alone buildings is 8 storeys.

There is reference to maximum area for a commercial/retail building in the key directions report and policy in 4.4.2.7D of the parent OP. Should these be addressed in terms of scale for this node?

City Reponse – We will implement this through Zoning.

Are there any restrictions that the City wants to impose on drive-thru facilities within this designation? Staff does not object to the list of permitted uses, specifically the mixed use blocks that will be limited to neighbourhood commercial uses. This will reduce any land use conflicts, and by not providing drive-thrus, will ease traffic congestion too.

City Response – Drive-through facilities are not permitted in the Secondary Plan, as outlined in Policy 3.4.2.

3.4.1 Planned Function indicates a public square should be encouraged at the intersection of Quaker Rd and Rice Rd; however, there is no direction for the public square within the design section.

City Reponse – This will be further refined through Pre-Consultation and Site Plan Control as is normal practice.

Page 7 – Community Institutional – in reviewing the parent OP, elementary schools do not appear as a permitted use within this designation (it specifies secondary schools).

City Response – CZBL 2017-117 permits public uses including school boards in all zones.

Page 7- last bullet – wording is confusing if the parkettes are to be developed within the neighbourhoods then why would the distance to the neighbourhoods apply? There does not appear to be any defined neighbourhoods on the land use schedule.

SGL Response – the last policy is intended to ensure that parkettes are not at the fringe of a neighbourhood. We would expect a Planning Justification Report in support of a draft plan of subdivision to identify the neighbourhoods and demonstrate that this policy is met.

City Response – We will deal with this through Pre-Consultation and Conditions of Draft Plan of Approval.

Page 8 – ECA – references an Appendix 1 – Map 2, is this to be included with the Secondary Plan? Does this also identify the features for EPAs? Please see Environmental Planning comments below.

SGL Response: Reference to this Appendix will be revise to *Appendix 1 – Map 4: Northwest Welland Headwater Drainage Features*. This new map will identify the headwater drainage features within Northwest Welland as well as unevaluated wetlands less than 0.5 ha and floodplain limits. EPAs and ECAs are currently shown on *Schedule C1: Componets of the Nautral Heritage System*.

Page 8 – Sustainability – the parent OP included policy direction for Air Quality and Climate Change and energy conservation. These are not referenced in this SP, whereas most other sections are referencing back to the parent plan.

City Response – Either way the parent OP applies

Page 9 – Transportation – comments are provided from Regional Transportation below; however, it should be noted that more direction on complete streets should be included in this section. The policy at the top of Page 9 references active transportation and should be connected to the transportation policies as well. I note that the parent OP

includes direction for pedestrian friendly streets, linkages and road design. The Secondary Plan is the opportunity to add additional, specific policy to implement the desirable streetscape. Further information is included in the Urban Design Guidelines and comments from UD staff below. Policy should be included to reference back to the UDG.

City Reponse – City roads will be built and maintained to the City's municipal standards and we have our own requirements for road widths, profile, sidewalks etc.

Page 9 – Infrastructure and Utilities – please see requested wording in the Development Engineering comments.

Page 9 - Phasing of Development - The Terms of Reference included the requirement for a "Development Phasing Plan to demonstrate how specifically the Northwest Secondary Plan area will develop to full build out. As well, phasing policies may also include how this secondary plan will work in conjunction with other secondary plans that the City may be envisioning to undertake."

Policy 4.4 regarding phasing states "Development shall be phased in line with the timely provision of community facilities and infrastructure within each block represented by the existing boundary arterial roads." This policy direction is not sufficient enough to guide the logical progression of growth including the phasing of the installation of services and upgrades that may be required (see Development Engineering comments as well). Specific policies and associated Phasing schedules must be prepared now (in advance of the consideration of individual development proposals within the SP area).

AE and SGL Response: The municipal servicing has been proposed in a manner that will allow each quadrant of the NWSP area to be developed independently of the other. Within these quadrants, trunk watermains and sewers (i.e. those identified in this servicing study on the proposed collector roads) should be built first, followed by local watermains and sewers required to service lots on new local roads.

The exception to the above noted strategy, is the addition of a City owned trunk sewer on Quaker Road, which is now required since only one connection to the Region's Quaker Road trunk sewer will be allowed, instead of the three proposed. For this sewer, if the south west quadrant is developed first, the entire length of City owned sewer on Quaker Road would need to be built at that time (from the intersection of Quaker and Rice the connection point with the Region sewer). If the development begins, instead, with the north east quadrant and proceeds westerly from there, the local sewer can be built from the connection point to the Region sewer westerly in sequence with the development.

Based on the results of the study, we do not agree that a phasing plan is needed. Development should be carried out in line with the extension of services to the area as required by the Secondary Plan.

General - Archaeology - There is no policy requiring further investigation and study as identified in the background report. This should be included and can be broad, so that we can determine the requirement at future pre-consultation stage on a site specific basis.

City Response – This will be deal with through Pre-consultation

Combined Planning comments from Kirsten McCauley and Lindsay Earl, LRP and Development Senior Planners.

Regional Transportation:

Northwest Welland Secondary Plan Transportation Assessment - Preferred Plan:

- The existing conditions correspond accurately with our understanding of the current state of the transportation network;
- The trip generation and attraction has been undertaken in accordance with industry-accepted practices and appears reasonable for the scale of the developable lands;
- The trip distribution was developed appropriately and has included input from Niagara Region's Travel Demand Model (TDM) prepared in EMME to allow for adjustment based on the future extension of Merritt Road and capacity increase along Rice Road;
- The preferred plan does not substantially impact Niagara Region's transportation network as it builds primarily off of plans presented within the Transportation Master Plan (TMP). With that said, the intersection of Rice Road and Quaker Road will warrant the installation of traffic signals based on the analysis. This is development driven from my understanding is therefore development charges should apply and/or the City of Welland should bear the costs.

In the Key Directions Report, there is mention of improvements to Regional Road 37 (Merritt Road) and Regional Road 54 (Rice Road). These improvements are suggesting the widening of both roadways to four-lane cross-sections and the extension of Merritt Road. At this point in time, the Report does not state that these are recommendations but merely suggestions from past reports and analyses. Given this, we can leave the commentary as written by the consulting team.

Please note that the Region is retaining a consultant to undertake a Schedule C Municipal Class Environmental Assessment for Merritt Road between Rice Road and Highway 406 and Rice Road between Merritt Road and Quaker Road. This will include a review and recommendation for an active transportation network that will make use of any works undertaken through the Secondary Plan.

It appears as though signal timing improvements are recommended at Merritt Road and Merrittville Highway/Niagara Street. This information has been forwarded to Lawrence Dunks at the Region for review. Comments will be provided once received.

Comments provided by Jordan Frost, Manager of Transportation Planning & Sustainability.

Development Engineering and Stormwater Management:

Regional staff have reviewed the Municipal Servicing Study (MSS) and have the following comments regarding servicing and policies to be included in the NW Welland Secondary Plan. Per the Terms of Reference for this project, the Region will require a phasing strategy to be developed for the NW Welland Secondary Plan area to ensure that the infrastructure requirements and necessary upgrades are addressed.

AE and SGL Response: The municipal servicing has been proposed in a manner that will allow each quadrant of the NWSP area to be developed independently of the other. Within these quadrants, trunk watermains and sewers (i.e. those identified in this servicing study on the proposed collector roads) should be built first, followed by local watermains and sewers required to service lots on new local roads.

The exception to the above noted strategy, is the addition of a City owned trunk sewer on Quaker Road, which is now required since only one connection to the Region's Quaker Road trunk sewer will be allowed, instead of the three proposed. For this sewer, if the south west quadrant is developed first, the entire length of City owned sewer on Quaker Road would need to be built at that time (from the intersection of Quaker and Rice the connection point with the Region sewer). If the development begins, instead, with the north east quadrant and proceeds westerly from there, the local sewer can be built from the connection point to the Region sewer westerly in sequence with the development.

Based on the results of the study, we do not agree that a phasing plan is needed. Development should be carried out in line with the extension of services to the area as required by the Secondary Plan.

Water Servicing:

The analysis provide in the MSS was limited in the various options that were available to assist in providing the required water pressures and fire flows to the new urban area. There were no comments regarding ensuring that watermains were looped in the system to avoid dead end mains.

Based on the functional servicing report, the ability to service the proposed urban boundary expansion is completely dependent on the current operations at the Water Treatment Plant being modified which will lead to reduced water quality from the Bemis Elevated Tank.

Regional staff will require that further analysis be completed before providing final comments on whether the current or upgrades system can provide the necessary water

flow requirements to the area. Regional staff will require that the additional analysis provide and evaluate alternative options to ensure that the only option available is the change in operating procedure at the Regional Water Treatment Plant (WTP).

AE Response: Given the configuration of the Welland system, there are limited solutions available for servicing the area. Multiple piping configuration options and possible upgrades to the existing distribution system were considered in arriving at the final trunk piping configuration shown in Figure 3-5. Upgrades to the existing system (including replacement/upsizing of Quaker Road watermain) were deemed to be ineffective, since the primary issue is the elevation of the area in relation to the system HLG/water level in Bemis/Shoalt's. Any other alternatives (booster pumping station, possible option of backfeeding from Pelham) would have a very similar impact on the WTP operations, since the source of water for the Pelham system/a new booster pumping station is the WTP.

Regarding looping, the final configuration includes looping of the trunk piping, except where looping is not possible due to restrictions created by the existing developments surrounding the area.

Additional analysis beyond what has already been conducted is out of the scope of this assignment and is better suited for a MSP.

Currently the report is being reviewed by the Region's Water staff and further detailed comments will be provided on the proposed recommendations.

If the changes in the WTP operations is acceptable and there are no other options available on the municipal system to meet the requirements. The Financial Impact Analysis report will need to review and include costs related to the additional pump run times.

AE Response: The impact to WTP operations is due to all planned developed in Welland (Empire Homes, Northern Reach, etc.) and cannot be solely attributed to the NWSP development. Quantifying the increased O&M costs (energy) associated with an increase in pumping duration specifically associated with the NWSP area is outside the scope of this assignment.

Sanitary Servicing:

The MSS report does note that the Towpath SPS is scheduled for an upgrade based on the current development that is planned in the sewer shed. However, it is unclear whether the Quaker Road Trunk sewer can accommodate the proposed flows based on the actual flows. The analysis was completed based on the Region's MSP. It should be noted that the MSP only had development population out to 2041. The analysis should be updated to include all development areas within the Towpath SPS to ensure that the ultimate pumping station requirements are indicated.

AE Response: Based on current projections for other future development included in the City/Region InfoSWMM model, the Quaker Road Trunk sewer can accommodate those flows. The available capacity in the Quaker Road Trunk sewer is shown in the table attached in Appendix B.

The analysis was completed with the information available (current City/Region InfoSWMM model, January 2018 update). Consideration for other future flows, which will be part of the Region MSP update, as well as the City MSP, are outside of the scope of this assignment. The overall conclusion of this report will not change based on changes to other flows directed to the Towpath SPS - the NWSP area will contribute an additional 96 L/s peak flow to the Quaker Road trunk sewer and this will need to be taken into account when completing the Towpath upgrade

A phasing plan should be developed to ensure it is clear that capacity at the SPS is limited and until such time as the SPS is upgraded and the report should identify phasing based on capacity or the ability of the City to remove I/I from the system to allow for development capacity in the existing system. A policy to this affect should also be included in the Secondary Plan.

AE Response: See previous response regarding phasing.

Currently the Towpath SPS is scheduled for upgrades in 2025; however, please be advised that timing of the project can change based on budget constraints or shifts in priority. Additionally, the timing of this upgrade project will be based on the actual sanitary flows reaching the Towpath SPS.

Regional staff in Water and Wastewater are currently reviewing the information as well.

AE Response: Noted.

Water and Wastewater Servicing comments provided by Susan Dunsmore, Manager of Development Engineering.

Stormwater Servicing:

The overall concepts for the SWM facility systems is acceptable to the Niagara Region. Detailed comment on the reports are as follows and policies related to SWM implementation in the secondary plan area are included.

1. Key Directions Report for the Northwest Welland Secondary Plan Area (June 2020) by SGL

- Section 4.6 Stormwater Management:
 - a) The Region highly recommends that the context be reviewed by Aquafor Beech. The key direction is unclear. The information regarding modelling analysis is inaccurate and unnecessary.

- b) The proposal of 'do nothing', i.e. without any stormwater management control should not be an option.

SGL Response: Comments noted but the report is final.

2. Welland Northwest Area Secondary Plan Stormwater Management Plan (February 30, 2020) by Aquafor Beech Limited

- Section 2.3 Hydrology:
 - a) Please confirm AES storm distribution is correct. Phase 1 'Natural Heritage/Hazards Report' indicates a 12-hour Chicago storm distribution was used in floodplain mapping.

AB Response: Please refer to Table 4.7 in floodplain mapping study which was completed by Aquafor Beech Limited in June 2012 (Design flows are estimate based on 12-hr AES).

The 12-hour duration is considered reasonable given the size, travel time, and predominantly rural nature of these subwatersheds.

- b) The selected IDF in the current study would be a basis for the future detail studies. The Regional staff considers the City's IDF or Welland Airport rain data are more representative.

AB Response: To be consistent we used the IDF curves as used in the floodplain mapping study which was developed based on all points within the Welland River watershed.

- Section 4.3 Alternative 3 Traditional plus LID (i.e. LID measures as well as dry ponds for flood control):
 - a) Are the flood control storages of dry ponds same as Alternative 2 traditional SWM ponds? If not, please compare the storages between the two alternatives to demonstrate the LID benefit.

AB Response: The potential benefit of LID were not considered for flood control purposes.

- b) Is the modelling approach of Section 4.3 and Section 5.1.3 same? Both scenarios include LID.

AB Response: Section 4.3 outlines the different scenarios. Section 5.1.3 provides the flood control results.

- c) In comparison to Alternative 2 that will require a 20 m overload/below ground drainage easement (Figure 4-2), are there any advantages of Alternative 3 with this regard?

AB Response: The 20 m overload/below ground drainage easement is required to convey the flows from the SWM facility to the stream. Low flows will be conveyed by the LID to the stream. Therefore there will be some benefit by implementing LIDs.

- Section 5.1.1 Water Quality Target:
 - a) Please confirm these designated % impervious to land use adequately reflect the real development circumstances.

AB Response: The percent impervious values that were selected reasonably represent the proposed land uses.

- b) The MECP's proposal of Environmental Compliance Approval (ECA) for a municipal stormwater management system includes that a new oil/grit separator is to be credited a maximum of 50% suspended solids removal. The Region suggests this criterion be noted.

AB Response: We have added a sentence in the report.

- Section 5.1.2 Water Balance Target
 - a) Is Table 5.2 pre-development water budget? What is the post-development water budget if doing nothing?

AB Response: We did not provide this as the Do Nothing alternative is not recommended.

- b) The Region suggests that the general implementation target of water balance for a development be quantified in order to meet pre-development water budget, such as how many millimetres runoff from impervious coverages are to be retained on a commercial, residential, industrial development.

AB Response: As noted in Section 5.1.2.2, the Thornthwaite methods provide an annual infiltration rate of 132.2 mm/year on a watershed basis. Given that there are approximately 56 rainfall events per year the average infiltration rate per event is relatively modest (2-3 mm per event). The actual values on a site by site basis will vary depending on soil type, slopes, vegetation cover and depth to water table.

Our experience through monitoring of LID devices shows that infiltration of up to 10 mm/event can occur even in clay soils.

- Section 5.1.3 Flood Control Target:
 - a) It is unclear if the Storage Volumes of Table 5.3 are for the SWM ponds only.

AB Response: The Storages Volumes in Table 5.3 are for the SWM ponds only. See response to comment 2, section 4.3 above.

- b) Please confirm the number of proposed SWM facilities. There are discrepancy in the report.

AB Response: Text has been revised (see edit in page 33 of report).

- c) Is the storage volume of WQCV equal to RVCT that is to retain 28 mm rainfall on the entire development area?

AB Response: Yes.

- d) Are storages of LID measures at the entire study area included in sizing the storage required for flood control?

AB Response: See response to comment 2, section 4.3 above.

- e) What are the flow control targets at the pond discharge points in order to match the flow rates at Node 1, 2 and 3?

AB Response: Flow rates at Node 1, 2 and 3 for all the scenarios are presented in Table 4-2.

- f) The Region suggests a model scenario confirm if over-control post-development flows would mitigate the flooding hazards downstream of the NW Secondary Area.

AB Response: This is not within the scope of this project.

- Section 6.2.1:

- a) The Region consider the wording '*As document in section 4 of this report, Alternatives I and iii were selected as preferred means to(Page 36)*' is incorrect. Alternative I – doing nothing shall not an option. Justify under which circumstances Alternative I could be applied.

AB Response: Text has been edited for clarification ("alternatives i and iii were selected ..." replaced by "options i and ii above were selected ...")

- Section 6.2.2:

- a) In terms of flood control, is the existing condition analysis in this report to be a basis for the future subdivision development? What will be the

discharge target for each subdivision, commercial development in order to meet the overall flood control target?

AB Response: the report is to be used as basis for future studies. Please refer to Section 6.2.2

- The Report needs housekeeping to correct the typos and wrong references, such as
 - Chapter 3 title, should it be 'Stormwater Management Alternatives'?
 - Typo of Table 5.2 title
 - Page 32, Section 5.2.5?

AB Response: The report has been reviewed and edited.

Stormwater Management comments provided by Maggie Ding, Stormwater Management Engineer.

Policies to be included in the Secondary Plan:

General infrastructure policy: Development shall progress in a logical, efficient, and fiscally responsible manner. The cost-effective provision of municipal infrastructure shall establish the phasing strategy for this Secondary Plan.

SGL Response: The first component of this proposed policy is already addressed the City's Parent Official Plan.

Specific policies:

SANITARY SEWAGE AND WATER SUPPLY SERVICES

Sewage and Water Allocation

- a) Sanitary services will be constructed in accordance with the recommendations of the approved NW Welland Municipal Servicing Study and Phasing plan and in accordance with the requirements of the City and Region.

SGL Response: This is not necessary to have in a Secondary Plan.

- b) Water services may be constructed in concert with sanitary services, and in accordance with the NW Welland Municipal Servicing Study and Phasing plan and in accordance with the requirements of the City and Region.

SGL Response: This is not necessary to have in a Secondary Plan.

- c) Lands served by private septic systems shall be properly decommissioned and connected to municipal sanitary sewers and water services when available.

City Response: This is not necessary in the Secondary Plan as the matter is dealt with in the Parent Official Plan and other City policies and by-laws.

STORMWATER MANAGEMENT

General Policies for Stormwater Management Facilities

- a) Stormwater management facilities shall be permitted in all land use designations within the NW Welland Secondary Plan Area, except for the Natural Heritage System designation, subject to Policy 6.1 of this Plan.

SGL Response: This is already a requirement of Policy 6.5.2.5.C of the City's Parent Official Plan.

- b) Stormwater management facilities may be permitted in the Natural Heritage System designation, except in Provincially Significant Wetlands and Environmental Protection Areas (EPA) as identified on the Natural Heritage System Features, without the need for a further Amendment to this Plan, including the preparation of an Environmental Impact Study, prepared to the satisfaction of the City and the Conservation Authority, and any agency having jurisdiction.
- c) Storm drainage for the lands will be conveyed to the Towpath Drain in accordance with the provisions of the NW Welland Secondary Plan Stormwater Management Report.
- d) A combination of piped storm sewers, LID measures and overland drainage systems will be employed through the Secondary Plan Area.
- e) Stormwater management facilities will be key features within the community contributing to the appearance and ambience of the neighbourhood, while achieving functional objectives related to flow moderation and water quality.
- f) Stormwater management facilities will blend with the natural landscape. Geometric forms and standard slope gradients will be avoided in favour of organic shapes and land form grading designed to replicate natural land forms in the area. Inlet and outlet structures will be concealed using a combination of planting, grading and natural stone.

- g) Stormwater management facilities will not be fenced, but rather will be designed with trails, overlooks and interpretive signage so that they are an integral part of the parks and open space system.
- h) Promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development techniques as part of the stormwater management system.
- i) Stormwater management for the Secondary Plan area will be designed in such a manner that pre-development water balance conditions are maintained for all wetlands in the Natural Heritage System Designation. A detailed water balance will be required as part of a stormwater management plan submitted at the time of future development applications.

SGL Response: These proposed policies are either currently addressed in the City's parent Official Plan in Section 6.5.2.5, are policies that should be addressed at a municipal wide level or are too detailed and not appropriate in a secondary plan.

Environmental Planning comments:

Regional Environmental Planning Staff previously provided comments relating to this file in July of 2019 in response to a background report titled "Welland Northwest Area Secondary Plan, Phase 1: Background Studies – Natural Heritage and Natural Hazards Existing Conditions" (dated April 11, 2019) by Aquafor Beech Limited. Through that review, a detailed analysis of the Report was completed resulting in recommendations for Secondary Plan policies and suggested mapping updates.

It is noted that this Secondary Plan is associated with Regional Official Plan Amendment No 18 and Welland's local Official Plan Amendment 24 (adopted in December). These amendments will facilitate the urban boundary expansion to include the NW within the City's urban boundary.

The following comments are offered in response to the circulation of the Draft Secondary Plan Policies, Stormwater Management/Subwatershed Study and the Key Directions Report provided in support of the Secondary Plan.

Core Natural Heritage System

Within the Secondary Plan boundary, the following Core Natural Heritage System (CNHS) features are designated in the Regional Official Plan (ROP) and shown on the attached map:

- Environmental Protection Area (EPA): portions of the Niagara Street Cataract Road Woodlot Provincially Significant Wetland (PSW) Complex; and

- Environmental Conservation Area (ECA): three separate Significant Woodlands, including one that forms part of the PSW, one in the easternmost corner of the study area between First Avenue and Niagara Street, and a relatively small, narrow extension of the woodland and associated PSW located just north of the study area at the terminus of Montgomery Road.

Additional unmapped features for potential inclusion as part of the CNHS include other wooded areas that potentially meet ROP significance criteria, as well as potential wetlands, Species At Risk (SAR) habitat and Significant Wildlife Habitat (see Background Report Figures 5.8, 7.1, 7.2 and 7.3).

The City of Welland Official Plan Schedule C (Core Natural Heritage System) also identifies the PSW as an EPA (no development or site alteration permitted), as well as all watercourses within the study area. Significant Woodlands are also identified as ECAs, including smaller wooded areas that are not identified in the ROP.

SGL Response: The secondary plan area refers back to and is reliant on the Core Natural Heritage System policies of Section 6.1.2.1 of the Official Plan. It is also subject to Schedule C: Core Natural Heritage System and Schedule C1: Components of the Core Natural Heritage System of the City's Official Plan. The features shown on those schedules are the features shown in NW Welland

Watercourses/Aquatic Habitat

Regional staff are satisfied that the watercourses on the north side of Quaker Road have been appropriately identified and characterized as either ECA or EPA features depending on adjacent natural heritage features. However, the watercourses on the south side of Quaker Road have not been identified and confirmed as part of the Natural Heritage System.

Further, previous Regional comments recommended that 30 metre watercourse buffers be identified in order to recognize Growth Plan requirements outside Urban Boundaries. Alternatively, staff suggested that future concept plans identify an appropriately sized vegetation protection zone (VPZ) along the watercourses, and encourage densely vegetating the VPZs with native species. Restoration of the VPZs was identified as especially relevant given that the Background Report notes that large portions of the watercourses are without instream or overhead canopy cover.

Additionally, previous regional correspondence suggested including the headwater drainage features identified through the Background Study as ECAs until such time that the recommended site specific studies are conducted to characterize the significance of these features.

Staff recommend the Plan be updated to show the location of all watercourses and headwater drainage features. Consideration should be given to illustrating appropriate setbacks from watercourse features and including policies which require the identification and restoration of the vegetation protection zones associated with the features.

SGL Response: The headwater drainage features on the south side of Quaker Road and north of central watercourse have been identified as headwater drainage features on *Appendix 1 – Map 4: Northwest Welland Headwater Drainage Features* and subject to policy 3.8 of the Secondary Plan which requires a Headwater Drainage Feature Assessment. In our opinion, it is inappropriate to show these features as part of the ECA designation until they have been confirmed as this analysis has not yet been completed.

Schedule G: Policy 6.1.2.3 F of the City's Official Plan provides requirements for naturally vegetated buffer zones.

Hydrologic Features

Previous Regional correspondence confirmed that the study area includes Highly Vulnerable Aquifer (HVA) areas or important areas for groundwater protection. Growth Plan (2019) policies regarding settlement area boundary expansions indicate that key hydrologic areas (including HVAs) should be avoided where possible. Therefore, staff recommended further consideration of these areas and applicable policies. Regional staff have not received additional information regarding potential impacts to groundwater quality and quantity.

SGL Response: Groundwater analysis was not part of the scope of our study.

Woodlands/Vegetation

Regional staff are satisfied that the Secondary Plan adequately identifies all woodlands within the study area.

In addition, two provincially rare vegetation types were identified within the study area (i.e., FOD9-5 and SWD1-2, although staff note ELC mapping and report appendices were not provided for review), as well as three flora SAR (Butternut, Eastern Flowering Dogwood and White Wood Aster). Staff are satisfied that the areas containing these rare species and vegetation types are or will be designated as either EPA or ECA and therefore, any proposed development or site alteration within the vicinity of these areas will require the completion of an EIS.

Wetlands

Previous Regional comments outlined that that a formal re-evaluation of the PSW was not completed as part of the Background Study and that re-evaluation of the PSW would likely result in the incorporation of additional wetland areas, specifically as the result of the naturalization of lands previously under agricultural cultivation. Regional Environmental Planning staff therefore continue to recommend that all wetland areas identified as per Figure 6.1 in the Background Report, including unevaluated wetlands less than 0.5 ha (Figure 7.3), be considered as ECAs (possible constraints), until such time that more detailed analysis is completed.

SGL Response: The City's Official Plan provides that only "other evaluated wetlands" be included in the ECA designation. Small unevaluated wetlands of less than 0.5 ha. have been identified on *Appendix 1 – Map 4: Northwest Wetland Headwater Drainage Features* and are subject to policy 3.8 of the Secondary Plan which requires an analysis to confirm whether the features are significant. In our opinion, it is inappropriate to show these features as part of the ECA until they have been evaluated and confirmed as significant.

In addition, as per the recommendations outlined in the Tow Path Drain Subwatershed Plan, staff recommend that the lands between the existing upland and wetland habitat in Area B be considered for planting with native species in order to fill in the natural area gaps. Such plantings would reduce the forest edge-to-interior ratio and create a larger continuous natural area which would have improved ability to support a larger diversity of flora and fauna. In addition, staff recommend protecting and enhancing existing wetlands by requiring appropriately sized buffers or VPZs to protect lands surrounding those wetlands that provide critical functions for wetland-associated fauna and flora.

SGL Response: Restoratoin and extent of VPZs should be identified through detailed environmental studies in support of draft plans of subdivision.

Corridors and Connections

Regional Environmental Planning staff were pleased with the level of detail provided within the Background Report as it relates to identifying potential corridors and connections between natural features within the study area. As noted in the Background Report, areas that meet the criteria for EPAs and ECAs are largely disjunct from each other, which presents opportunity for enhancement to promote connectivity and ecological function in the study area. Previous comments also suggested that ecological corridors, linkages and wildlife culvert policies should be introduced in the Secondary Plan, and road design should consider wildlife crossings in appropriate locations (e.g., First Avenue, north of Quaker Road).

The Secondary Plan mapping and Draft Policies do not identify or consider corridors or linkages. There is a concern, especially in the south-end of the study area, that if

corridors are not incorporated into the plan, further fragmentation of the natural heritage system will result.

SGL Response: The Background report identified several potential linkages. Those linkages were considered in the context of creating compact walkable communities and opportunities to use open space features to establish the linkage. A number of linkages to the north were facilitated through the location of future parks.

Additional Comments

Botanical Inventories were conducted on June 22, August 1, August 2 and October 11, 2018. Spring botanical inventories were not completed, but staff note that three season flora inventories (i.e., including spring surveys) will likely be required as part of future site-specific development proposals. Note that until a formal development application is received, comments may be subject to change based on new policies or outdated data. Typically, field studies such as the Background Report have a "shelf-life" of five years, so that impacts are assessed and mitigated based on up-to-date information. If there is more than five years between field work and submission of a formal development application, an EIS and review fees will likely be requested.

Incidental wildlife observations (including direct observation, tracks, scat, and other signs) were appropriately identified as a component of the work completed for the Background Report. Staff note that targeted wildlife surveys (e.g., snake surveys, turtle basking surveys, etc.) may be required for future site-specific development applications. In addition, the SAR screening should include feedback from the MECP (formerly the MNRF) as noted above.

Staff recommend that the management objectives identified in the Central Welland River Watershed Plan, and more specifically the targets and objectives identified in the Tow Path Drain Subwatershed Plan, be incorporated into future concept plans to the extent possible.

Please note that the Niagara Peninsula Conservation Authority (NPCA) continues to be responsible for the review and comment on planning applications related to their regulated features, including the regulated wetland and watercourse features onsite. As such, going forward, NPCA should also be consulted with respect to their comments.

SGL Response: The above comments are not secondary plan requirements and will be considered and addressed at the development application level.

Environmental Planning comments provided by Cara Lampman, Manager of Environmental Planning.

Urban Design comments:

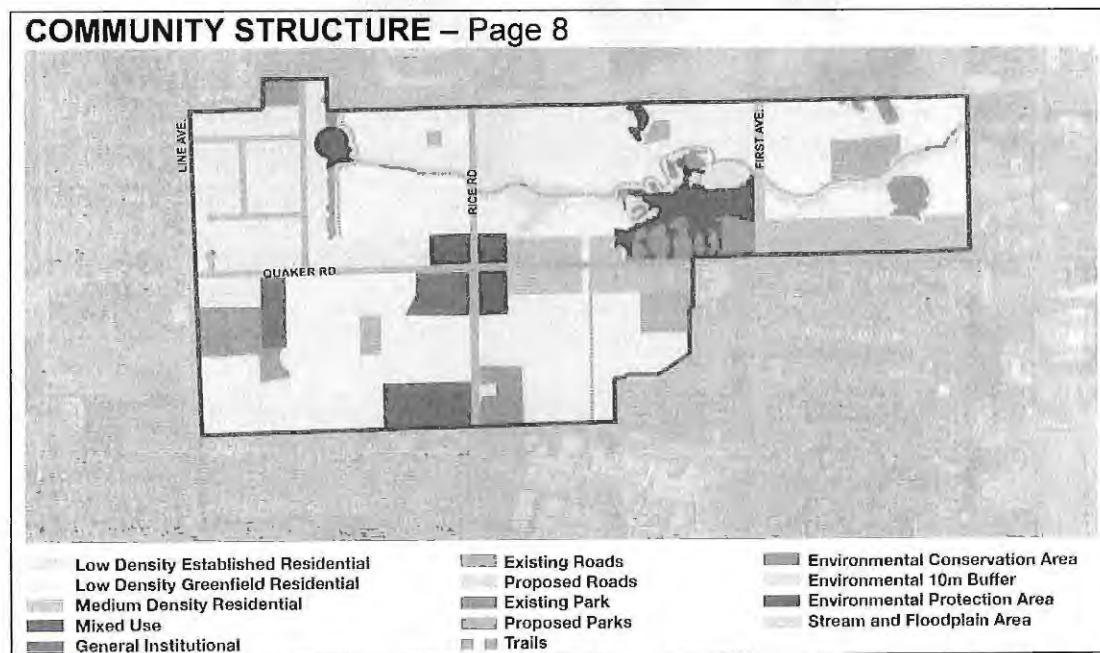
Urban Design staff have reviewed the draft urban design guidelines and provide the following comments.

General comment:

After reviewing the existing City-wide UDGL in conjunction with these new Guidelines, the City-wide guidelines cover a lot of the design topics in great detail that relate to this Secondary Plan.

The following comments relate to the new guidelines for the NW Welland Secondary Plan. They are suggestions for clarifying the design intent in order to enhance both the Secondary Plan policies and the urban design guidelines.

Urban Design Guidelines		Section 1.5: Design Principles - Page 7	
1	Protect and enhance natural heritage features, areas, and corridors.	4	Develop a compact, safe, connected, walkable, and diverse public realm.
2	Promote a continuous and connected open space system.	5	Provide a balanced road network supportive of active transportation and public transit.
3	Cultivate a unique and inclusive community identity while maintaining compatibility with the surrounding built and natural environment.	6	Establish appropriate built form through compatible and visually interesting architectural styles and designs.



Comments on Community Structure – Page 8

1. Can the map include the active transportation system (bike lanes and street multi- use paths) in addition to the trail system?

City Response – No not at this time. We will be doing a Trails, Cycling and Recreational Corridor Masterplan in late 2020 and early 2021, and we will address this in that plan, which will then be incorporated into our new OF process which is starting in 2020.

2. Are there views and vistas that need to be identified? If so, should there be urban design policies that protect or enhance these?

City Response – No

3. Are there any areas on the plan considered to be gateways into the City of Welland or into this new community?

City Response – No it is already essentially incorporated into the City and this is not a new community as it contains an extensive built-up areas, schools, school board headquarters, park, trail etc.

4. Are there student housing opportunities adjacent to the Niagara College campus – perhaps as part of the mixed-use land use designation?

City Reponse – We do not people zone. Depending on the type of housing proposed it will either be considered an apartment or boarding and lodging both of which are permitted in the CC2 Zone which would be the one used for mixed-use designation. These uses are also permitted in our RM - Medium Density zone which will be used for medium density designated areas. All single, semis, townhouse will be permitted accessory dwelling as per the Planning Act.

5. Are there opportunities for medium density residential along the south side of Quaker Road between the two Community Institutional sites (west of Rice Road)? In terms of urban design, medium density land uses are appropriate along arterial roads and represent a built form that can transition between the general institutional land uses to low density land use.

City Response – Possibly but at this time this is what the plan looks like based on the background work done. Frankly adding more population to an area that the Region has not factored into their future plans including the total population growth of the whole City seems not logical. The region needs now to focus onto how they get their long terms plans in order to recognize that the Regional growth projections for the City of Welland are too low.

LOW DENSITY RESIDENTIAL – Page 10 - 13

- This land use designation allows for singles, semi-detached, duplexes and triplexes. It is encouraged that design policies are added to promote a mix of housing types within blocks and along streetscapes in order to create visual

interest and to avoid monotonous streetscapes. With respect to best practices on this, providing a mix of housing forms provides greater housing choices, enhances affordability, provides an opportunity for people to age in place, promotes vibrancy and encourages active transportation. The variation of housing stock and density within housing forms of a similar scale and character is referred to as “gentle density” and falls within the complete communities planning philosophy.

City Response – this is dealt with through our pre-consultation meetings, standard subdivision agreement and our Zoning By-law (probably one of the most advanced for “gentle density” and elimination of “yellow belt”).

- Laneways are mentioned for specific housing types. Are there options for laneway housing? This is especially important due to the proximity of the college campus.

City Response – In the City’s CZBL all singles, semis, two-unit and townhouse permit an accessory dwelling either within or detached from the main dwelling.

- Can Architectural Control be introduced for residential developments to ensure that a variety of building forms, materials, colours and compositions are achieved?

City Response – No we will not be doing this, this is added and unnecessary “red tape”. We have been successful without using this tool. We already regulate this through our standard subdivision agreement.

- Existing City-wide UDGL on Landscape (Page 72) is very limited. It is encouraged that additional guidelines are added that promote:
 - planting of trees on private lands to increase the urban tree canopy, provide shade and contribute to stormwater management,
 - Use of LID’s in residential landscapes, and;
 - Use of native, non-invasive and drought tolerant species.

City Response – the City-Wide UDGL won an Excellence In Planning Award with OPP1 as part of our Downtown Revitaliation, and we are happy with how they are working at this time and we are not planning to update them.

ESTABLISHED RESIDENTIAL (page 2-3 of Draft Secondary Plan)

Secondary Plan Policy: “Respect neighbourhood character...”

Comment:

- It is encouraged that guidelines addressing intensification and infill within these existing neighbourhoods are added. Further, it is suggested that there is additional guidance for how neighbourhood character is defined and assessed.

City Response – We are not adding anything further here.

GREENFIELD RESIDENTIAL (page 3-4 of Draft Secondary Plan)

Secondary Policy: “No shadow or overlook impact...”

Comment:

- Additional guidelines that address shadow impact or overlook could be included. Further, providing built form guidelines that illustrate how these impacts can be reduced or avoided would be helpful.

City Reponse – We are not adding any further policy on this.

New UDGL (page 12): “front onto public streets, trails, parks, natural heritage...”

Comment:

- Could provide guidelines addressing the design of homes located on priority lots, such as lots at the top of a “T” intersection, corners, and at the end of a view terminus, adjacent to or backing on to parks and open spaces, and others.

City Response – This is too much detail. This will be dealt with on a case by case basis through pre-consultation.

New UDGL (page 12): “Where back-lotting cannot be avoided, façade facing the feature should match/exceed front façade...”

Comment:

- Along arterial roads including Regional Roads, there are many housing forms that are appropriate and do not rely on back-lotting.
- In other circumstances, the quality and design of fencing is also important. As a best practice, homes that are back-lotted should have fencing that is visually permeable and low in height. Additional guidelines can define what types of fencing are acceptable, heights, and amount of opacity (e.g. solid wood versus decorative metal).

City Response – This is too much detail. This will be dealt with on a case by case basis through pre-consultation the current wording provides sufficient flexibility here.

MEDIUM DENSITY RESIDENTIAL – Page 13

New UDGL (page 15): “Dwellings should be oriented to front and define the street edge...”

Comment:

- The City wide UDGL address Services Areas (page 70). More specific direction could be given for:
 - AC Locations (not in front yard),
 - hydro and gas meter banks (with screening), and;
 - exhaust fans and other venting.

City Response – This is too much detail. This will be dealt with on a case by case basis through pre-consultation and site plan approval.

New UDGL (page 15): “where back-lotting cannot be avoided, façade facing the feature should match/exceed front façade.”

Comment:

- Same comment as above provided under Low Density Residential.

City Response – This is too much detail. This will be dealt with on a case by case basis through pre-consultation.

New UDGL (page 15): “where located adjacent to a low density residential neighbourhood, buildings should be massed and oriented to provide an appropriate built form transition...”

Comment:

- It is encouraged that more specific direction is provided about how to achieve an appropriate transition. For example, using the angular plane method, demonstrating step-backs and setbacks, etc.

City Response – This is too much detail. This will be dealt with on a case by case basis through pre-consultation.

New UDGL (page 16): “Dwellings should be designed and sited to create comfortable living conditions...”

Comment:

- Could provide additional guidelines that define what comfortable living conditions are and speak to performance standards.
- Additionally, the treatment, access, and comfort for below grade or “garden units” could be included.

City Response – This is too much detail. This will be dealt with on a case by case basis through pre-consultation.

New UDGL: (page 18) “For corner lot buildings and units, both street frontages should be addressed...”

Comment:

- The City wide UDGL addresses the design of corner buildings in several sections. This guideline could be expanded to identify key intersections of major streets (i.e. arterials, etc.)
- Could add a GL that addresses the landscape and streetscape treatment of corner buildings, since these are also important elements of corner buildings.

City Response – This is too much detail. This will be dealt with on a case by case basis through pre-consultation and site-plan approval.

MIXED USE – Page 21

New UDGL (Page 24): “Along the frontages of Quaker Road and Rice Road, buildings should be oriented toward the street...”

Comment:

- Could clarify and add that a principal entrance should face the public street. Additionally, where there is a public sidewalk, a pathway from the principal entrance to the sidewalk further orients the building to the streetscape. Secondary entrances to the commercial units can face the rear of the building where parking may be located.

City Response – This is too much detail. This will be dealt with on a case by case basis through pre-consultation and site-plan approval.

New UDGL (Page 27): Building facades fronting the street or public areas should incorporate large, well-proportioned clear areas of glazing...

Comment:

- Could elaborate on this GL, for example, stating the spandrel (i.e. opaque glass) is not permitted.
- Could go into more detail about signage, noting that graphic wraps and signs are not permitted within the glazing – this space should be used to display wares and to allow views to and from the commercial unit.

City Response – This is too much detail. This will be dealt with on a case by case basis through pre-consultation.

New UDGL (Page 28): For corner lot buildings and units, both street frontages should be addressed....

Comment:

- Similar to comments provided for low and medium density residential above.
- Additionally, could provide guidance that a principal entrance should be located at the intersection for corner units.

City Response – This is too much detail. This will be dealt with on a case by case basis through pre-consultation.

OPEN SPACE AND RECREATION & THE ENVIRONMENT – Page 30

Comment:

- Is it possible to overlay the active transportation system onto this plan? Specifically, bike routes.
- There is no mention of Sustainability in this section. This would be a good opportunity to discuss and provide guidance for this topic

City Response – These are items that are currently under review through Trails, Cycling and Recreational Corridor Master Plan and New OP process.

Urban Design comments provided by Julia van der Laan de Vries, Urban Designer.

Additional comments:

The Financial Impact Analysis is currently being reviewed by Regional Finance. Comments on this study will be forwarded you when received. Please note there may be need to update the FIA study per the comments provided by Development Engineering and the outcome of the additional analysis of infrastructure options.

As noted in previous comments provided November 22, 2018, the RFP had requested the consulting team prepared an Infrastructure and Public Services Facility Study “to demonstrate whether the public service facilities needed to service the Northwest lands would be financially viable over the full life cycle of these asset.” The Rationale for Urban Growth in Northwest Welland and the Key Directions Report report speaks solely to the educational facilities within and surrounding the study area. This section of the review should consider the proximity and availability of other public service facility requirements, as well as well as the capacity and ability to accommodate the additional future population that will reside in the NW area. The City should be satisfied that this requirement has been satisfied.

If you have any questions, please contact the undersigned.

Respectfully,

Kirsten McCauley, MCIP, RPP
Senior Planner, Secondary Plans
Planning and Development Services, Niagara Region

COLVILLE
CONSULTING INC.

September 8, 2020

Mr. Grant Munday, B.A., MCIP, RPP
Manager of Development Approvals – Planning Division
City of Welland
60 East Main Street
Welland, ON
L3B 3X4

Dear Mr. Munday,

Re: Natural Heritage Features Assessment – 330 Rice Road, City of Welland

Colville Consulting Inc. was retained by Lucchetta Homes to assess potential natural heritage features on the property identified as 330 Rice Road, in the City of Welland. This report is intended to summarize existing information for the property, as well as present the results of our assessment of the property. This report is also intended to identify any natural heritage features that would be considered Environmental Protection Area (EPA) or Environmental Conservation Area (ECA), as defined by the City of Welland Official Plan and the Niagara Region Policy Plan.

BACKGROUND*Property Description*

The Subject Property is located south of Quaker Road and east of Rice Road in the City of Welland, and has been assigned the municipal address of 330 Rice Road. The Subject Property measures approximately 2.2ha in size. Topography on the property is somewhat variable, with northern portion of the property gently sloping towards the watercourse in the southeast corner of the property. The northern portion of the property appears to drain to the north, however any slope on this portion of the property is gradual.

Historical air photos indicate that the property was once planted in fruit orchard, with what appears to be a former residence and barn. Although the remnants of a stone foundation and dug well are still present on the property, the majority of these lands have succeeded to a mix of buckthorn savannah and woodland. Further description of vegetation conditions on the property are provided below.

Review of Background Information

Based on our review of background information, a portion of the Subject Property has been designated as Environmental Conservation Area (ECA) in Schedule C the City of Welland Official Plan, due to the presence of a Significant Woodland. No portion of the property has been identified as ECA or Environmental Protection Area (EPA) in the Niagara Region Core Natural Heritage System.

From our review of the Natural Heritage and Natural Hazards Existing Conditions Report, prepared by Aquafor Beech Limited and included as Appendix F in the Rationale for Urban Growth in Northwest Welland (SGL Planning & Design Inc. 2019), the Subject Property was described as a Red Ash Mineral Deciduous Swamp Complex (SWD2-2). This vegetation community was described by Aquafor Beech to be dominated by Red Ash in both the canopy and sub-canopy, with Red Maple, Freeman's Maple, Norway Maple, White Elm, and Common Buckthorn present in lesser amounts. Common Buckthorn dominates the understory. Panicked Aster was the most abundant species in the ground layer; other species present include Creeping Bent Grass, Onesided Aster, Canada Enchanter's Nightshade, Wild Strawberry, Selfheal, Canada Blue Grass, Canada Goldenrod, and Yellow Avens.

Colville Consulting Inc

It is understood that Aquafor Beech staff completed vegetation community surveys and botanical inventories over the entire study area on June 22, August 1, August 2 and October 11, 2018 on lands to which permission to enter was granted. Additional information was gathered through background information review, aerial image interpretation, and roadside assessments as needed to fill data gaps. It should be noted that it was not clear in the report if Aquafor Beech staff prepared this description based on observations from adjacent lands, or if a thorough assessment of the property was completed.

In addition to the above, breeding bird surveys conducted by Aquafor Beech staff indicated that 18 species of birds were documented using the property. All species are considered common in Niagara and no species considered at risk in Ontario were documented on the property (see Table 1). American Toad was also documented on the property during a June 26, 2018 amphibian survey.

Table 1. List of bird species documented by Aquafor Beech staff on and adjacent to the Subject Property. (data from Appendix F of SGL Planning & Design Inc. 2019)

Species	S Rank	Niagara Status*
American Crow	S5B	C R
American Goldfinch	S5B	C R
American Robin	S5B	VC R
Blue Jay	S5	VC P
Brown-headed Cowbird	S4B	VC R
Cedar Waxwing	S5B	C R
Common Grackle	S5B	VC R
Downy Woodpecker	S5	C P
European Starling	SNA	VC P
Gray Catbird	S4B	C R
House Finch	SNA	C P
Killdeer	S5B	C R
Mourning Dove	S5	VC R
Northern Cardinal	S5	C P
Northern Flicker	S4B	C R
Red-winged Blackbird	S4	VC R
Song Sparrow	S5B	VC R
Wild Turkey	S5	U P

* VC – very common; C – common; U – uncommon; UR – Uncommon to rare; O – Occasional; P – permanent resident; R – summer resident; S – Straggler (Niagara Natural Areas Inventory, 2010)

PRIMARY ASSESSMENT OF THE SUBJECT PROPERTY

To verify the accuracy of existing mapping and the description prepared Aquafor Beech, a botanical inventory and assessment of vegetation communities was completed on August 5, 2020. Vegetation communities (ELC units – following Lee et al. 1998) were mapped and described, and a vascular plant checklist was compiled. Species status was assessed for Ontario (Oldham and Brinker 2009) and the Niagara Region (Oldham 2010). Vegetation communities are described below and illustrated on Figure 1. A vascular plant checklist is provided in Appendix A. Photos of the properties are provided in Appendix B.

Colville Consulting Inc

Botanical Inventory

A total of 98 plant species were documented on and adjacent to the Subject Lands during botanical inventories. None of the species observed are considered at risk provincially, or considered locally rare or uncommon.

Vegetation Communities

As described above, a review of historical air photos indicates that the property was once used for agricultural purposes. Since the agricultural use was abandoned, the property has regenerated into successional woodland. A number of large and mature White Elm trees suggest the property was likely woodland before Dutch Elm Disease devastated much of the tree cover (one dead White Elm standing snag is almost 1m dbh). More recently, a number of mature Green Ash trees succeeded to replace the dead elm woodland cover, however, the effects of the Emerald Ash Borer has destroyed much or all of this tree cover. Currently, tall shrubs of Buckthorn have succeeded to form a non-native Deciduous Buckthorn Savannah over much of the property, with a small portion of the property consisting of Red Maple woodland. These vegetation communities have developed on the predominantly silty-sand or sandy-loam soils that occur over most of the property.

Fresh - Moist Deciduous (Buckthorn) Savannah Ecosite (SVDM4)

The majority of the Subject Property was described as Fresh - Moist Deciduous (Buckthorn) Savannah Ecosite (SVDM4). The sparse tree layer supports an abundance of dead and declining Green Ash trees and the occasional dead White Elm. The sub-canopy layer forms approximately 25-35% cover and consists of young Green Ash trees, suckering stems from the bases of ash trees damaged from effects of the Emerald Ash Borer, as well as tall Common Buckthorn shrubs, with the occasional White Elm.

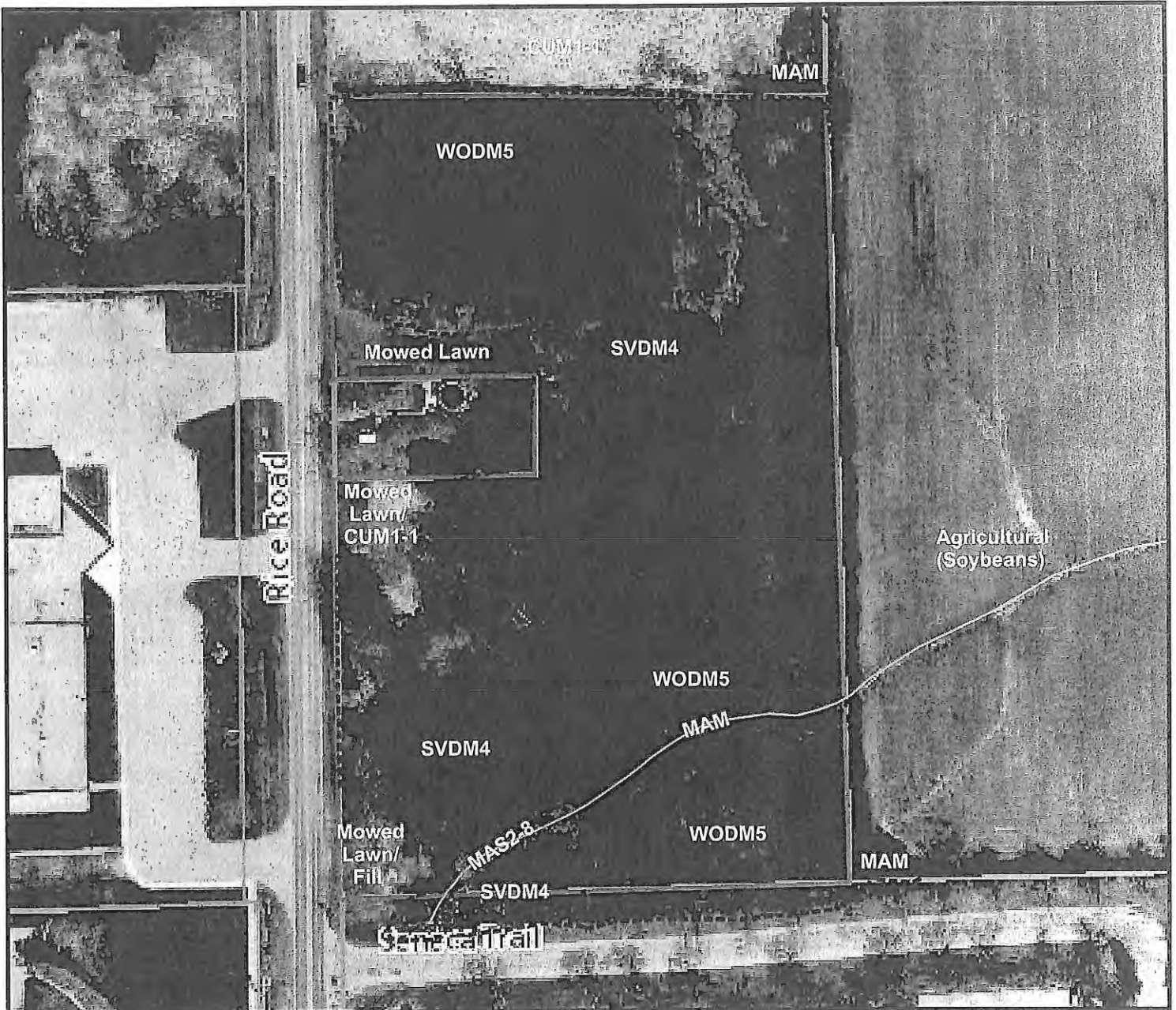
The dense shrub layer forms more than 60% cover and is dominated by Common Buckthorn. Green Ash saplings or suckers, Grey Dogwood shrubs and White Elm saplings also occur in this layer, with Glossy Buckthorn present in more poorly drained lower areas.

The ground layer forms greater than 60% cover of Late Goldenrod, Panicked Aster and occasionally Rough Goldenrod or cool season farm grasses.

Fresh - Moist Deciduous (Red Maple) Woodland Ecosite (WODM5)

In the southeast corner of the property, as well as along the eastern property line and north end of the property, are stands of Fresh - Moist Deciduous (Red Maple) Woodland Ecosite (WODM5). The canopy layer in this community is dominated by Red Maple and scattered White Elm, and provided a variable cover ranging from 25-60% or greater. In the sub-canopy, White Elm, Red Maple, Glossy Buckthorn, Common Buckthorn and Green Ash form an additional 60% cover. The dense shrub layer (>60% cover) is almost completely dominated by Glossy Buckthorn, with the occasionally Common Buckthorn, Green Ash or Privet.

The ground layer (25-60% cover) consisted of seedlings of Buckthorn species and plants of Panicked Aster, with the occasional patches of Fowl Mana Grass, Avens, Grey Dogwood seedlings, Common Strawberry or mosses.



Legend

- Subject Property
- Surface Watercourse
- CUM1-1** Dry - Moist Old Field Meadow Type
- MAS2-8** Rice Cut-grass Mineral Shallow Marsh Type
- MAM** Meadow Marsh
- SVDM4** Fresh - Moist (Buckthorn) Deciduous Savannah Ecosite
- WODM4** Dry - Fresh (Red Maple) Deciduous Woodland Ecosite

Figure 1
Extent of Vegetation Communities
on the Subject Property

330 Rice Road Property

Prepared for: **Lucchetta Homes**

Prepared by: **COLVILLE**
CONSULTING INC.

August 2020

FILE: C2071

Colville Consulting Inc

Rice Cut Grass Mineral Shallow Marsh (MAS2-8) / (MAM)

As illustrated in Figure 1, a small watercourse originates in the southwest corner of the property and conveys water across the Subject Property to the soybean field to the east. The widest portion of this watercourse support a vernal pool, which was described as Rice Cut Grass Mineral Shallow Marsh (MAS2-8). Rice Cut Grass forms almost 100% cover, with Panicked Aster and the occasional tall plants of Swamp Milkweed or Purple Loosestrife. A fringe or thin band of shrub swamp rings the upland edge and is dominated by Silky Dogwood or Glossy Buckthorn. Scattered occasionally in the Shallow Marsh are a few young Green Ash trees. This open Shallow Marsh then grades into a narrow swale which supports meadow marsh, before being completely shaded out by the Red Maple Woodland. East of the property, this watercourse transitions into a swale that is currently planted in soybeans.

Scattered across the property are several small pockets of Meadow Marsh (MAM). Vegetation in these areas are generally consistent with the description above, with lesser amounts of Rice Cut Grass present.

ASSESSMENT OF POTENTIAL NATURAL HERITAGE FEATURES

The primary intent of this project is to assess any potential natural heritage features that may be present on the Subject Property. In the City of Welland, the Core Natural Heritage System consists of:

- i. Core Natural Areas, classified as either Environmental Protection Areas or Environmental Conservation Areas;
- ii. Natural Heritage Corridors connecting the Core Natural Areas; and
- iii. Fish Habitat

Environmental Protection Areas (EPA) include provincially significant wetlands, provincially significant Life Science ANSI, and significant habitat of Threatened and Endangered species. From our assessment of the property, as well as our review of available background information, no features consistent with an EPA are present on or adjacent to the Subject Property.

Environmental Conservation Areas (ECA) include significant woodlands, significant wildlife habitat, significant habitat of species of concern, regionally significant Life Science ANSIs, other evaluated wetlands, significant valleylands, savannahs and tallgrass prairies, alvars and publically owned conservation lands.

As described above, a portion of the property is currently designated as ECA in Schedule C of the City of Welland Official Plan, due to the presence of a Significant Woodland. Section 6.1.2.2.E of the City of Welland Official Plan states that significant woodlands have one or more of the following criteria:

- i) Contain threatened or endangered species or species of concern;
- ii) In size, be equal to or greater than 2 hectares, if located within or overlapping the Urban Area Boundary or 10 hectares, if located within the Agricultural and Rural Area;
- iii) Contain interior woodland habitat at least 100 metres in from the woodland boundaries;
- iv) Contain older growth forest and be 2 hectares or greater in area;
- v) Overlap or contain one or more of the other significant natural heritage features listed in Policies 6.1.2.1.C; or,
- vi) Abut or be crossed by a watercourse or water body and be 2 ha or more in area.

Based on our assessment, the woodland portion of the Subject Property measures approximately 0.6ha in size and does not satisfy any of the above criteria to be considered significant. An assessment of the woodland on the Subject Property in the context of the above criteria is provided in Table 2 below.

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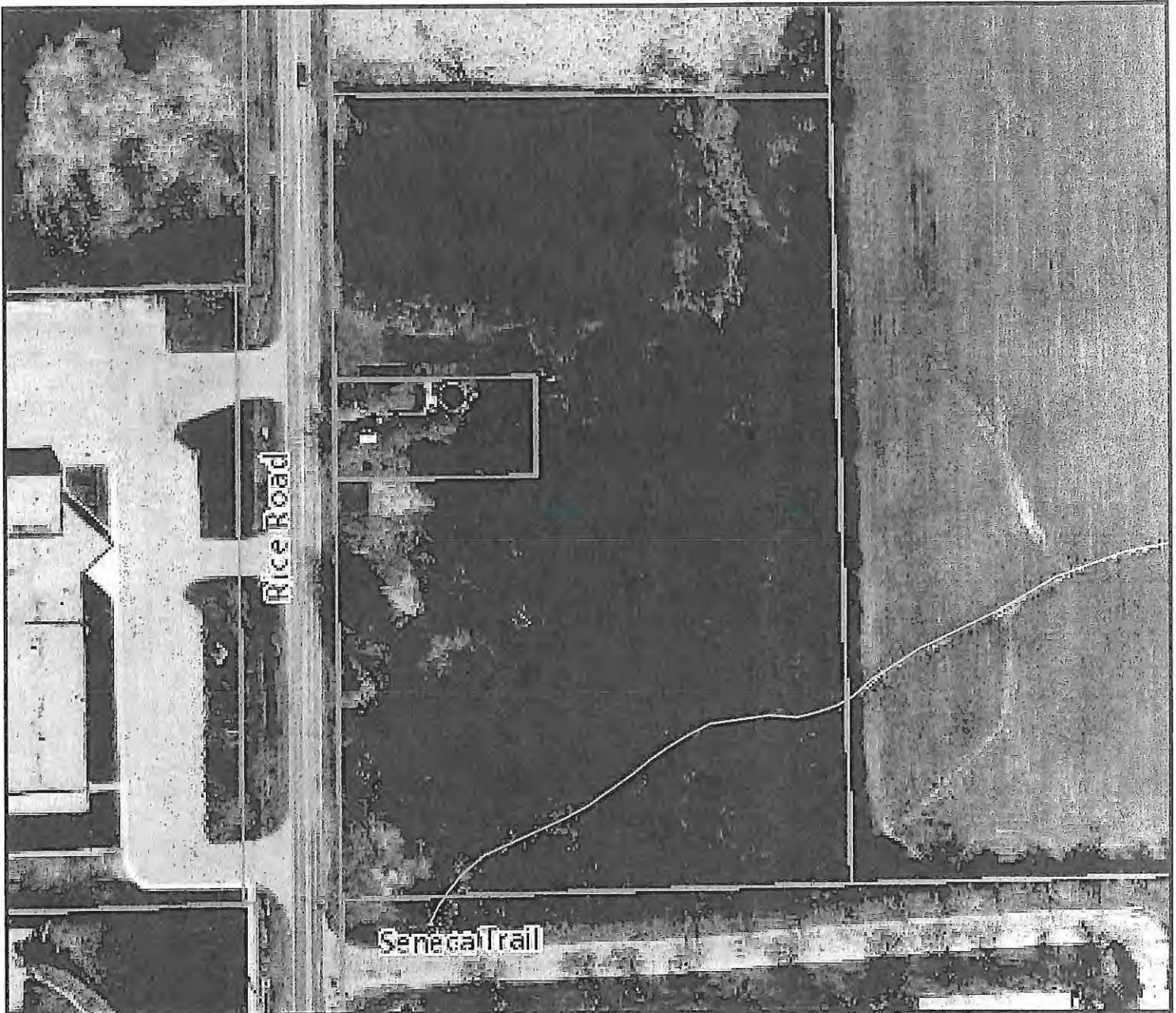
Table 2. Assessment of Significant Woodland Criteria for the North Woodland on the Subject Property.

Criteria	Representation in Woodland	Conclusion
Endangered or Threatened species or Species of Concern	No Endangered or Threatened species or Species of Concern documented on property.	Criteria not satisfied
Size	Woodland on and adjacent to property approximately 0.6ha in size.	Criteria not satisfied
Interior Habitat	Woodland measures approximately 65m in width, which is not sufficient to provide interior habitat or support area sensitive species.	Criteria not satisfied
Older Growth	Characteristics of the woodland and previous land uses not consistent with old growth.	Criteria not satisfied
Other Natural Heritage Features	No other significant natural heritage features located in or adjacent to woodland.	Criteria not satisfied
Watercourses or Waterbodies	A watercourse is located on the Subject Property, however the woodland is less than 2ha in size.	Criteria not satisfied

From our assessment of the property and review of available background information, no features consistent with an ECA are present on or adjacent to the Subject Property. Although savannahs are considered to be ECA in the City of Welland and Niagara Region, and a portion of the property was described as Fresh - Moist Deciduous (Buckthorn) Savannah Ecosite, this vegetation community is not consistent with a naturally occurring savannah in the Province.

By definition, a savannah is characterized by a treed vegetation community consisting of 11-35% cover of deciduous or coniferous trees. In Ontario, savannahs often consist of a mix of tall grass vegetation communities, with sparse tree cover. Savannahs are not typically characterized by dense shrub cover, as is the case on the Subject Property. Tree cover on the Subject Property has recently been reduced as a result of Emerald Ash Borer activity, and therefore this sparse tree cover is an artificially created condition that is not consistent with a typical savannah in Ontario.

Although not assessed as part of this project, a small watercourse is located on the Subject Property. Since this watercourse ultimately contributes flow to the Recreational Canal, it is possible that this watercourse is providing a contribution function to fish habitat in the Canal. This watercourse is therefore considered to be part of the Core Natural Heritage System of the City of Welland. It is recommended that further assessment of this watercourse be conducted in the future to determine the extent to which this watercourse is contributing to the Core Natural Heritage System. The refined extent of any potential natural heritage features is provided in Figure 2.



Legend



-  Subject Property
-  Surface Watercourse (potential fish habitat)

Figure 2
Refined Extent of Potential Natural Heritage
Features on the Subject Property

330 Rice Road Property

Prepared for: **Lucchetta Homes**

Prepared by: **COLVILLE**
CONSULTING INC.

September 2020

FILE: C2071

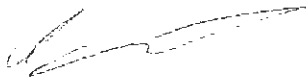
Colville Consulting Inc

CONCLUSIONS AND RECOMMENDATIONS

As described above, our assessment indicates that vegetation communities on this property consist primarily of Buckthorn Savannah and Red Maple Woodland. Based on our observations, as well as background data available for the property, no portion of the property appears to meet the criteria to be considered an EPA or ECA in the City of Welland. Since it is suspected that the description of the property prepared by Aquafor Beech was based only on an observation from Seneca Trail, it is recommended that the data presented in this summary be incorporated into a revised version of the Natural Heritage and Natural Hazards Existing Conditions Report (to be prepared by Aquafor Beech Limited). Alternatively, if no updates to the existing conditions report are to be prepared, it is recommended that the results of this assessment be incorporated into any pending OP housekeeping amendments to be completed by the City of Welland.

Please do not hesitate to contact the undersigned at 905-931-4262 or ian@colvilleconsultinginc.com should you have any questions or require further information.

Yours sincerely,



Ian Barrett, M.Sc.
Colville Consulting Inc.

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- City of Welland. 2019. City of Welland Official Plan. 214pp.
- Lee, H.T., W.D. Bakowsky, J.L. Riley, J. Bowles, M. Puddister, P. Uhlig and S. McMurray. 1998. Ecological Community Classification for Southern Ontario: First Approximation and Its Application. Ontario Ministry of Natural Resources, Southcentral Science Section, Science Development and Transfer Branch. SCSS Field Guide FG-02.
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- SGL Planning & Design Inc. 2019. Rationale for Urban Growth in Northwest Welland. 55pp + Appendices.

Appendix A

Plant List for 330 Rice Road

Plant List for 330 Rice Road, Welland, ON. Conducted on August 5th, 2020.

ScientificName	CommonNames	Coeff.Cons.	Coeff.Wet.	GRank	COSEWIC	COSSARO	SRank	Lrare
<i>Acer negundo</i>	Manitoba Maple	0	-2	G5			S5	
<i>Acer rubrum</i>	Red Maple	4	0	G5			S5	
<i>Acer saccharinum</i>	Silver Maple	5	-3	G5			S5	
<i>Acer X freemanii</i>	Freeman's Maple			G?			S5	
<i>Achillea millefolium ssp. lanulosa</i>	Woolly Yarrow	0	3	G5			S5	
<i>Agrimonia gryposepala</i>	Tall Agrimony	2	2	G5			S5	
<i>Agrostis stolonifera</i>	Creeping Bent Grass	0	-3	G5			S5	
<i>Alopecurus cf. pratensis</i>	Meadow Foxtail	0	-3	G?			SE5	
<i>Arctium minus ssp. minus</i>	Common Burdock	0	5	G?			SE5	
<i>Arisaema triphyllum ssp. triphyllum</i>	Jack-in-the-pulpit	5	-2	G5			S5	
<i>Asclepias incarnata ssp. incarnata</i>	Swamp Milkweed	6	-5	G5			S5	
<i>Asclepias syriaca</i>	Common Milkweed	0	5	G5			S5	
<i>Asparagus officinalis</i>	Asparagus	0	3	G5?			SE5	
<i>Aster lanceolatus ssp. lanceolatus</i>	Panicled Aster	3	-3	G5			S5	
<i>Aster pilosus var. pilosus</i>	Hairy Aster	4	2	G5			S5	
<i>Bidens frondosa</i>	Devil's Beggar-ticks	3	-3	G5			S5	
<i>Bromus inermis ssp. inermis</i>	Smooth Brome	0	5	G4G5			SE5	
<i>Carex gracillima</i>	Graceful Sedge	4	3	G5			S5	
<i>Carex intumescens</i>	Bladder Sedge	6	-4	G5			S5	
<i>Carex tenera</i>	Slender Straw Sedge	4	-1	G5			S5	
<i>Carex vulpinoidea</i>	Fox Sedge	3	-5	G5			S5	
<i>Carex sp</i>	Sedge Species							
<i>Centaurea jacea</i>	Brown Knapweed	0	5	G?			SE5	
<i>Chenopodium album var. album</i>	Lamb's Quarters	0	1	G5			SE5	
<i>Cichorium intybus</i>	Chicory	0	5	G?			SE5	
<i>Circaea lutetiana ssp. canadensis</i>	Canada Enchanter's Nightshade	3	3	G5			S5	
<i>Cirsium vulgare</i>	Bull Thistle	0	4	G5			SE5	
<i>Comus amomum ssp. obliqua</i>	Silky Dogwood	5	-4	G5			S5	
<i>Comus foemina ssp. racemosa</i>	Grey Dogwood	2	-2	G5			S5	
<i>Crataegus mollis</i>	Downy Hawthorn	4	-2	G5			S5	
<i>Cyperus sp</i>	Flat Sedge Species							
<i>Dactylis glomerata</i>	Orchard Grass	0	3	G?			SE5	
<i>Daucus carota</i>	Wild Carrot	0	5	G?			SE5	
<i>Dichanthelium sp</i>	Panic Grass Species							
<i>Dipsacus fullonum ssp. sylvestris</i>	Common Teasel	0	5	G?			SE5	

ScientificName	CommonNames	Coeff.Cons.	Coeff.Wet.	GRank	COSEWIC	COSSARO	SRank	Lrare
<i>Dryopteris carthusiana</i>	Spinulose Wood Fern	5	-2	G5			S5	
<i>Elymus repens</i>	Quack Grass	0	3	G5			SE5	
<i>Epilobium sp</i>	Willow-herb Species							
<i>Erigeron annuus</i>	Daisy Fleabane	0	1	G5			S5	
<i>Eupatorium perfoliatum</i>	Common Boneset	2	-4	G5			S5	
<i>Euthamia graminifolia</i>	Grass-leaved Goldenrod	2	-2	G5			S5	
<i>Festuca rubra</i>	Red Fescue		1	G5			S5	
<i>Fragaria virginiana ssp. virginiana</i>	Common Strawberry	2	1	G5			S5	
<i>Fraxinus pennsylvanica</i>	Red Ash	3	-3	G5			S5	
<i>Geum canadense</i>	White Avens	3	0	G5			S5	
<i>Geum laciniatum</i>	Rough Avens	4	-3	G5			S4	
<i>Glechoma hederacea</i>	Ground Ivy	0	3	G?			SE5	
<i>Glyceria striata</i>	Fowl Manna Grass	3	-5	G5			S5	
<i>Hemerocallis fulva</i>	Tawny Day-lily	0	5	G?			SE5	
<i>Hesperis matronalis</i>	Dame's Rocket	0	5	G4G5			SE5	
<i>Hypericum perforatum</i>	Common St. John's-wort	0	5	G?			SE5	
<i>Juglans nigra</i>	Black Walnut	5	3	G5			S4	
<i>Juglans cf. regia</i>	Persian Walnut	0	5	G?			SE1	
<i>Juncus effusus ssp. solutus</i>	Soft Rush	4	-5	G5			S5	
<i>Juncus tenuis</i>	Path Rush	0	0	G5			S5	
<i>Leersia oryzoides</i>	Rice Cut Grass	3	-5	G5			S5	
<i>Ligustrum vulgare</i>	Common Privet	0	1	G?			SE5	
<i>Lobelia inflata</i>	Indian Tobacco	3	4	G5			S5	
<i>Lotus corniculatus</i>	Bird's-foot Trefoil	0	1	G?				
<i>Lycopus americanus</i>	Cut-leaved Water-horehound	4	-5	G5			S5	
<i>cf. Lysimachia ciliata</i>	Fringed Loosestrife	4	-3	G5			S5	
<i>Lythrum salicaria</i>	Purple Loosestrife	0	-5	G5			SE5	
<i>Malus pumila</i>	Common Apple	0	5	G5			SE5	
<i>Moss sp</i>	Moss Species							
<i>Oenothera cf. biennis</i>	Common Evening-primrose	0	3	G5			S5	
<i>Onoclea sensibilis</i>	Sensitive Fern	4	-3	G5			S5	
<i>Oxalis sp</i>	Wood-sorrel Species							
<i>Parthenocissus inserta</i>	Thicket Creeper	3	3	G5			S5	
<i>Phalaris arundinacea</i>	Reed Canary Grass	0	-4	G5			S5	
<i>Phleum pratense</i>	Timothy	0	3	G?			SE5	
<i>Picea abies</i>	Norway Spruce	0	5	G?			SE3	

ScientificName	CommonNames	Coeff.Cons.	Coeff.Wet.	GRank	COSEWIC	COSSARO	SRank	Lrare
<i>Poa pratensis ssp. pratensis</i>	Kentucky Blue Grass	0	1	G?			S5	
<i>Populus deltoides ssp. deltoides</i>	Eastern Cottonwood	4	-1	G5			S5	
<i>Prunella vulgaris ssp. lanceolata</i>	Heal-all	5	5	G5			S5	
<i>Prunus cf. mahaleb</i>	Mahaleb Cherry	0	5	G5			SE2	
<i>Pyrus communis</i>	Common Pear	0	5	G5			SE4	
<i>Rhamnus cathartica</i>	Common Buckthorn	0	3	G?			SE5	
<i>Rhamnus frangula</i>	Glossy Buckthorn	0	-1	G?			SE5	
<i>Rhus radicans ssp. negundo</i>	Climbing Poison-ivy	5	-1	G5			S5	
<i>Robinia pseudo-acacia</i>	Black Locust	0	4	G5			SE5	
<i>Rosa multiflora</i>	Multiflora Rose	0	3	G?			SE4	
<i>Rubus occidentalis</i>	Black Raspberry	2	5	G5			S5	
<i>Rumex crispus</i>	Curly Dock	0	-1	G?			SE5	
<i>Salix cinerea</i>	Ashy Willow	0	5	G5			SE2	
<i>Scirpus atrovirens</i>	Black Bulrush	3	-5	G5?			S5	
<i>Scirpus cyperinus</i>	Wool Grass	4	-5	G5			S5	
<i>Solanum dulcamara</i>	Bittersweet Nightshade	0	0	G?			SE5	
<i>Solidago altissima var. altissima</i>	Tall Goldenrod	1	3	G?			S5	
<i>Solidago rugosa ssp. rugosa</i>	Rough Goldenrod	4	-1	G5			S5	
<i>Sonchus sp</i>	Sow-thistle Species							
<i>Spiraea alba</i>	Narrow-leaved Meadowsweet	3	-4	G5			S5	
<i>Taraxacum officinale</i>	Common Dandelion	0	3	G5			SE5	
<i>Typha angustifolia</i>	Narrow-leaved Cattail	3	-5	G5			S5	
<i>Ulmus americana</i>	White Elm	3	-2	G5?			S5	
<i>Verbena hastata</i>	Blue Vervain	4	-4	G5			S5	
<i>cf. Veronica officinalis</i>	Common Speedwell	0	5	G5			SE5	
<i>Vicia cracca</i>	Cow Vetch	0	5	G?			SE5	
<i>Vitis riparia</i>	Riverbank Grape	0	-2	G5			S5	

Legend

Coeff.Cons. - Coefficient of Conservatism. Scores for each species range from 0 (low conservatism) to 10 (high conservatism).

A conservatism value of 0 indicates species is widespread. A value of 8, 9 or 10 indicates that a species is a habitat specialist.

Coeff.Wet. - Coefficient of Wetness

5 - Almost always occur in upland areas

4, 3, 2 - Usually occur in upland areas

1, 0, -1 - Found equally in upland and wetland areas

-2, -3, -4 Usually occur in wetlands

-5 Almost always occur in wetlands

Grank - Global Rank G1 — Critically Imperiled, G2 — Imperiled, G3 — Vulnerable, G4 — Apparently Secure, G5 — Secure

COSEWIC - Committee on the Status of Endangered Wildlife in Canada

COSSARO - Committee on the Status of Species at Risk in Ontario

Srank - Subnational Rank

S1 — Critically Imperiled - Critically imperiled in the province because of extreme rarity, (often 5 or fewer occurrences)

S2 — Imperiled - Imperiled in the province because of rarity due to very restricted range, very few populations (often 20 or fewer)

S3 — Vulnerable - Vulnerable in the province due to a restricted range, relatively few populations (often 80 or fewer)

S4 — Apparently Secure - Uncommon but not rare

S5 — Secure - Common, widespread, and abundant in the province

Lrank - Local Rank

Appendix B

Site Photos



Photo 1. Example of vegetation conditions in the SVD4 community on the Subject Property.



Photo 2. Example of vegetation conditions in the SVD4 community on the Subject Property.



Photo 3. Example of vegetation conditions in the SVDM4 community on the Subject Property.



Photo 4. Example of vegetation conditions in the WODM5 community on the Subject Property.



Photo 5. Example of vegetation conditions in the WODM5 community on the Subject Property.



Photo 6. Example of vegetation conditions in the MAS2-8 community on the Subject Property.



Photo 7. Example of vegetation conditions in the transition area between the WODM5 community on the Subject Property and the soybean field to the east.



Photo 8. Example of vegetation conditions in and adjacent to the watercourse in the soybean field east of property.

Here are my questions and concerns about the proposed Northwest Welland Official Plan and Secondary Plan. (OPA No. 29)

1. What will be done with the land West of Seneca Trail Rd, sold (under Royal LePage), if it an Environmental Conservation Area?
2. What will be done with the lot, that was identified in the past as Block 60 (between addresses 149 and 157 Northwood Dr.)? It is the only lot that was not developed on Northwood Dr. We are glad that you have not used it as a road accessing the new area between Clare, Quaker, and Rice.

Concerns:

1. Buildings more than 3 storeys should not be allowed in medium density residential areas, because this will take away from the natural heritage of this area, which is a rural area. Some of these early farmers helped to develop this area: Goodwillie, Page, Glinz, Moore, Rice, Sisler. Swayze, Daugherty, Guiners, only to name a few...
2. Buildings 4 to 8 storeys high would be too high for the mixed use areas, since there are mostly one storey homes in those areas. This should be re-examined.
3. The natural habitats for certain species of trees, bushes, flora (native to the Carolinian forest) and to the area should be preserved. A **more transparent examination** as to which habitats will be destroyed should be taken into account when agricultural land, wetlands and the few small forests that are left are being developed.
4. On the farms running from Quaker road to Northwood Dr., we have noticed that ducks nest at the south end of the field every spring, in the area near the cattails (that have been recently cut by someone). Large flocks of Canada geese spend lots of time in that same field, in the fall and in the spring. It seems to be part of their migration route. This will be lost when this area will be developed.
5. In your Central Welland River Watershed Plan, you present the importance of preserving the Carolinian Life Zone. The few remaining hedges separating the fields are important ecological corridors (green infrastructure), for numerous reasons (protection, drainage, prevents erosion, shelter for numerous beneficial animals and insects, and often contains a considerable variety of shrubs (often flowering) and trees. Preserving some of these hedges, after having given them some maintenance, would be beneficial.

These are excerpts of the Central Welland Watershed Plan:

In terms of agricultural lands, it is the intent of the City of Welland through the Official Plan to “protect prime agricultural lands by appropriately designating them and discouraging their redesignation or severance” (Section 5.1.1.1). In addition, the City will limit the land uses within this designation to farming and agriculturally-related activities (section 5.1.2). p. 33

Corridors provide an increase in functionality of core areas, even smaller or fragmented areas, by not only facilitating in the movement of larger mammals between natural areas, but “they are also essential for the movement and maintenance of genetic diversity for virtually all species regardless of size or species-pollen and seeds and other genetic material are passed along corridors” (Pim No Date). p. 39

Welland’s Built Boundary was determined by the province through the GGH. This boundary represents the limits of existing development within the existing Built-Up Area. The provincial Built Boundary is important for “measuring and monitoring intensification rates”(Section 3.4.2.3) as all growth within this zone is considered as intensification. The lands between these two boundaries are Greenfield Areas which are not built-up. However, as indicated earlier, the GGH has identified these designated Greenfield areas as the focus area of future intensification with an overall minimum density target of 50 jobs and residents per hectare. p. 33

https://npca.ca/images/uploads/common/NPCA-Watershed_Plan-Central_Welland_River.pdf



**UPPER CANADA
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Fax 905-688-5274

Sept. 11th, 2020

City of Welland
60 East Main Street
Welland ON L3B 3X4

Attn: Rose DiFelice – Manager of Policy Planning

Northwest Secondary Plan, City of Welland

Upper Canada Consultants represents Ashton Homes a home builder who owns a sizeable portion of land along Quaker Road, we are excited to see the proposed urban boundary expansion and implementation of the secondary plan come into effect and overall are supportive.

After a review of the polices, plans, and related reports we offer the following comments:

- The location of central collector road is meant to be preliminary in nature, however the location of the proposed connection to Niagara Street poses some complications as development of the 1043 Niagara Street property would restrict the potential connection. We would prefer that the plan be revised to show the collector road turn to the south to align with Goodwillie Drive and to the north to align with the future connection shown in the City of Thorold's Port Robinson West Neighbourhood plan. Furthermore as shown in the 2006 iteration of the concept plan the grade of the land would suggest that the optimal location for efficient SWM facilities is on the eastern limit of the plan straddling the existing watercourse. It is understood that this collector would comprise of a 24.5m right-of-way, however specific cross sections details will be determined at the draft plan stage.
- Park locations have been shown at a very large size, we request that wording within the secondary plan allow for flexibility of the park location and size, if they City is to request through the draft plan process that parks be provided in excess of the required 5% parkland dedication that monies be reserved for payment of the overage.
- There is a level of concern regarding the policy that prohibits backyards to flank onto public streets. At this time the City of Welland does not have an urban cross section for rear lanes and the specific details of how to implement these policies required additional construction related details and acceptance from different levels of municipal government.

If there are any further questions or concerns please do not hesitate to contact the undersigned.

Sincerely,

William Heikoop, B.U.R.Pl.
Planner
Upper Canada Consultants

cc. *Ashton Homes (Western) Limited – Aldo Vercillo*



**UPPER CANADA
CONSULTANTS**

2005-2006 / 2007-2008

Rose DiFelice

From: Céline Bégin Agostino
Sent: September 4, 2020 11:43 AM
To: Rose DiFelice
Subject: Amendment of Welland Official Plan (OPA N. 29)

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Bonjour Rose Di Felice,

We are looking forward to the Virtual Information Meeting September 10th. I have listened to your presentation. You have done excellent work, and you have tried to deal with many aspects of the planning of the area.

We have been residents of Northwood Dr. for almost 32 years. We appreciate the efforts that are made to protect green spaces. I have tried to contact Niagara Conservation Authority about this matter, but I have not yet gotten a response from them. I have also contacted Ducks Unlimited, but they told me to contact the conservation authority in my area. We observe every year, in the spring, ducks nesting in the field across the street from us. They are near the cattails behind the empty lot on Northwood Dr. They are there during the end of the winter and in the spring. It is dry now, and the city has cut some of the cattails. But it has always been an important area for the birds. They are at the end of the field that is still used for farming. Also, Canada geese seem to use the field as part of their migration route. The field is often filled with them from late fall to spring.

You must also know that the hedges that separate the fields are a great barrier that was used by farmers to protect the crops. This is an old method that is still used in Europe, and it is much better for the environment. It is wonderful that we still have remnants of this type of farming in our city. There are wonderful flowering trees in these hedges in the spring. I noticed that you are very concerned about preserving the heritage of the area, and the green spaces in your plan. I commend you for the work that you have done up to now.

Thank you very much for taking the time to read about my concerns,

Céline Bégin Agostino

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Rose DiFelice

From: Céline Bégin Agostino
Sent: September 7, 2020 6:09 PM
To: Rose DiFelice
Subject: RE: Amendment of Welland Official Plan (OPA N. 29)

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Bonjour Rose,

I am not sure how the submissions work for Thursday's meeting.

First of all, I have a few questions:

1. Why was the land West of Seneca Trail Rd, sold (under Royal Lepage), if it an Environmental Conservation Area?
2. What will be done with the lot, that was identified in the past as Block 60 (between addresses 149 and 157 Northwood Dr.)? It is the only lot that was not developed on Northwood Dr. We are glad that you have not used it as a road accessing the new area between Clare, Quaker, and Rice.

Submissions:

1. Buildings more than 3 storeys should not be allowed in medium density residential areas, because this will take away from the natural heritage of this area, which is a rural area. Some of these early farmers helped to develop this area: Goodwillie, Page, Glinz, Moore, Rice, Sisler. Swayze, Daugherty, Guiners, only to name a few...
2. Buildings 3 to 8 storeys high would be too high for the mixed use areas, since there are mostly one storey homes in those areas. This should be reexamined.
3. The natural habitats for certain species of trees, bushes, flora (native to the Carolinian forest) and to the area should be preserved. A **more transparent examination** as to which habitats will be destroyed should be taken into account when agricultural land, wetlands and the few small forests that are left are being developed.

These are excerpts of the Central Welland Watershed Plan:

In terms of agricultural lands, it is the intent of the City of Welland through the Official Plan to "protect prime agricultural lands by appropriately designating them and discouraging their redesignation or severance" (Section 5.1.1.1). In addition, the City will limit the land uses within this designation to farming and agriculturally-related activities (section 5.1.2). p. 33

Welland's Built Boundary was determined by the province through the GGH. This boundary represents the limits of existing development within the existing Built-Up Area. The provincial Built Boundary is important for "measuring and monitoring intensification rates"(Section 3.4.2.3) as all growth within this zone is considered as intensification. The lands between these two boundaries are Greenfield Areas which are not built-up. However, as indicated earlier, the GGH has identified these designated Greenfield areas as the focus area of future intensification with an overall minimum density target of 50 jobs and residents per hectare. p. 33

Thank you very much Rose for giving us a chance to voice our questions and our concerns. The work you have done is very good. The Secondary Plan Land Use Structure has many good features.

(I am asking for my right to appeal.)

Have a nice day,

Céline Bégin Agostino

From: Rose DiFelice [mailto:rose.difelice@welland.ca]
Sent: September 4, 2020 12:00 PM
To: Céline Bégin Agostino
Subject: RE: Amendment of Welland Official Plan (OPA N. 29)

Bonjour Celine,

Thank you for your interest in this project and for providing us with your comments.

Regards,

Rose

From: Céline Bégin Agostino
Sent: September 4, 2020 11:43 AM
To: Rose DiFelice <rose.difelice@welland.ca>
Subject: Amendment of Welland Official Plan (OPA N. 29)

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Bonjour Rose Di Felice,

We are looking forward to the Virtual Information Meeting September 10th. I have listened to your presentation. You have done excellent work, and you have tried to deal with many aspects of the planning of the area.

We have been residents of Northwood Dr. for almost 32 years. We appreciate the efforts that are made to protect green spaces. I have tried to contact Niagara Conservation Authority about this matter, but I have not yet gotten a response from them. I have also contacted Ducks Unlimited, but they told me to contact the conservation authority in my area. We observe every year, in the spring, ducks nesting in the field across the street from us. They are near the cattails behind the empty lot on Northwood Dr. They are there during the end of the winter and in the spring. It is dry now, and the city has cut some of the cattails. But it has always been an important area for the birds. They are at the end of the field that is still used for farming. Also, Canada geese seem to use the field as part of their migration route. The field is often filled with them from late fall to spring.

You must also know that the hedges that separate the fields are a great barrier that was used by farmers to protect the crops. This is an old method that is still used in Europe, and it is much better for the environment. It is wonderful that we still have remnants of this type of farming in our city. There are wonderful flowering trees in these hedges in the spring. I noticed that you are very concerned about preserving the heritage of the area, and the green spaces in your plan. I commend you for the work that you have done up to now.

Thank you very much for taking the time to read about my concerns,

Céline Bégin Agostino

Grant Munday

From: Nancy Carter/CAN
Sent: August 31, 2020 2:26 PM
To: Grant Munday
Cc: Lily Samaniego/CAN
Subject: Northwest Welland Secondary Plan
Attachments: Northwest Welland Community Structure - 1043 Niagara Street Location.pdf

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Good afternoon Grant.

I read the recent article in the Welland Tribune as per the link below in regards to the Northwest Urban Boundary expansion. I am a broker with Cushman Wakefield and have just listed a property for sale at 1043 Niagara Street. It does not fall within the boundary of the expansion lands but there is a proposed road leading right up to the back of the site on the north side. See attached.

I have also listed the property to the north of this one at 1049 Niagara Street but its in Thorold so again not sure how a road might influence this property as well.

In order to understand how this will affect my clients properties I would like to attend the virtual public information session on September 10 at 6:00 PM. The article said to contact you on this matter.

Please advise next steps.

Thank you ,

<https://www.wellandtribune.ca/news/niagara-region/2020/08/26/welland-closer-to-northwest-urban-boundary-expansion.html>

Nancy Carter
 Vice President - Industrial
 Sales Representative

Direct: +1 905 501 6410
 Mobile: +1 416 726 2812
nancy.carter@cushwake.com



1 Prologis Boulevard, Suite 300
 Mississauga, ON L5W 0G2 | CANADA

www.cushmanwakefield.com

Rachelle Larocque

From: Terese Chappelle
Sent: September 8, 2020 1:21 PM
To: Rachelle Larocque
Subject: Development of land at 136 Milkweed Trail, Welland

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Good morning Rachelle. My name is Terese Chappelle and I live at 188 Milkweed Trail, Welland with my husband Kevin Day.

I am writing to you for two reasons:

- 1) My husband and I would like to be included in the Public Information Meeting on Thursday September 10th regarding the Application to Amend City of Welland Plan (OPA No.29) so could you please send us the link to participate.
- 2) We were also interested to know if there are any applications in process for the development of the land between 136 Milkweed Trail and our home at 188 Milkweed Trail. Any information you could provide as to whether an application has been received or approved for building on that site would be appreciated.

Thank you for your time,

Terese (Terry) Chappelle

Sent from Samsung tablet

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Rose DiFelice

From: Eric
Sent: September 8, 2020 8:50 AM
To: Rose DiFelice
Subject: Welland Official Plan (OPA No. 29)

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Good morning,

I plan on participating in the virtual public information meeting on Thursday September 10th. The memorandum we received in the mail had a key map of the Northwest Area.

Is there any information available on the streets that will be required for access to the area? Our address is 152 Northwood Drive and there is a vacant lot across the street from us. We met with a Councillor member many years ago and he let us know the lot will not be sold for a home to be built until access to the area is determined and to bring up our concerns at that time.

I am unable to find any information on the street access, would you be able to provide the information or a map with the proposed streets for the Northwest area?

Our concern if the lot is turned into a street access is the increase in traffic and safety in our neighbourhood. In addition to Northwood being a bus route, Northwood Drive is the main access street to the sub-division.

Our other concern is having traffic turning in and out of the area, the noise and especially at night with vehicle lights shining directly into our home.

We appreciate any information you may have.

Thank you
Eric Silvestri

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Rachelle Larocque

From: liisa harju
Sent: September 11, 2020 3:35 PM
To: Rachelle Larocque
Subject: Re: North-West Secondary Plan - Meeting Invitation

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Thank you , Ms. Larocque for sending the video on The North-West Welland Secondary Plan.

I do have a question re: the wetlands on Port Robinson, Cataract ,Merrit Rds. ie. in that general drainage area between Pelham , North-West Welland and partly Thorold.

Is that wetland being included in the Welland North -West Development Plan ?

Secondly, food land,some of it tender fruit land, is being taken out of production for ever. Especially now when extreme climate changes are taking place, making us more dependent on foreign imports.

As I understand, climate changes are Global; are the foreign imports always available to us?

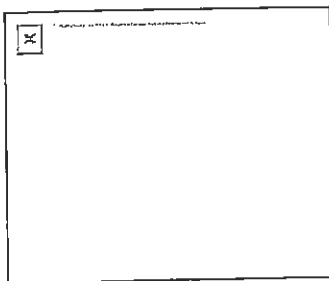
Sincerely,

Liisa Harju

From: Rachelle Larocque <rachelle.larocque@welland.ca>
Sent: Friday, September 11, 2020 3:35 PM
To: liisa harju
Subject: RE: North-West Secondary Plan - Meeting Invitation

Good morning Liisa,

My apologies. A number of people seemed to have difficulties accessing the meeting. The majority of the meeting was spent watching the video that can be found at this link:<https://youtu.be/BSiboRt6b60>. Please let me know if you have any questions.



Rachelle Larocque, BES, M.Sc., MCIP, RPP
 Planning Supervisor
 Planning Division
 Infrastructure and Development Services
 Corporation of the City of Welland
 60 East Main Street, Welland, Ontario L3B 3X4
Hours:8:30am-4:30PM
Phone:(905)735-1700 Ext. 2310 **Fax:**(905)735-8772

www.welland.ca



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From: liisa harju
Sent: September 10, 2020 10:29 PM
To: Rachelle Larocque <rachelle.larocque@welland.ca>
Subject: Re: North-West Secondary Plan - Meeting Invitation

I am sorry I couldn't reply for the meeting "Welland North-West Secondary Planning
 " Wednesday evening.

I just could not access your e-mail, therefore , couldn't attend the Zoom meeting.

Liisa Harju

From: Rachelle Larocque <rachelle.larocque@welland.ca>
Sent: Thursday, September 10, 2020 2:30 PM
To: Rachelle Larocque <rachelle.larocque@welland.ca>
Cc: Grant Munday <grant.munday@welland.ca>; Catherine Jay <cjay@sglplanning.ca>; Sierra Horton <shorton@sglplanning.ca>
Subject: North-West Secondary Plan - Meeting Invitation

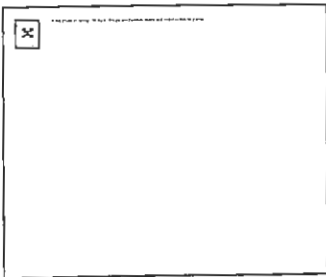
Good morning,

Here is the updated meeting invitation.

You are invited to a Zoom meeting.
 When: Sep 10, 2020 06:00 PM Eastern Time (US and Canada)

Register in advance for this meeting:
<https://zoom.us/meeting/register/tJloceGopz8rE9fNr1xcwOm89v0ejQylyadp>

After registering, you will receive a confirmation email containing information about joining the meeting.



Rachelle Larocque, BES, M.Sc., MCIP, RPP
 Planning Supervisor
 Planning Division
 Infrastructure and Development Services
 Corporation of the City of Welland
 60 East Main Street, Welland, Ontario L3B 3X4
Hours: 8:30am-4:30PM
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Rachelle Larocque

From: Rose DiFelice <rose.difelice@welland.ca>
Sent: October 9, 2020 2:30 PM
To: Paul Lowes; Catherine Jay
Cc: Travers Fitzpatrick; Grant Munday; Rachelle Larocque
Subject: FW: ROPA 18 Northwest Welland Urban Boundary Expansion

Good Morning Paul and Catherine,

Please see e-mail below which although responds to the request for comments on ROPA 18 (as it's directed to the Regional Clerk) includes questions/concerns specific to the Secondary Plan.

As I am away next week should you require anything or have information to share can you please ensure that you e-mail Grant, Travers and Rachelle (copied here). For your information we are targeting the October 20th meeting of Council for its consideration of OPA 29 and the SP.

Thanks,

Rose

From: Aurelio Magazzeni
Sent: October 8, 2020 10:18 PM
To: clerk@niagararegion.ca; Rose DiFelice <rose.difelice@welland.ca>
Subject: ROPA 18 Northwest Welland Urban Boundary Expansion

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Sorry, I forgot to include a subject line in my first email.

Re: ROPA 18 Northwest Welland Urban Boundary Expansion

Hello,

My name is Aurelio Magazzeni and I live at 528 Rice Rd., Welland, ON L3C 2W1. I own two parcels of property side-by-side. Both parcels of land are zoned residential in the front half and agricultural in the back half. In 1988 I purchased the property in order to enjoy the lifestyle I'm currently living. I enjoy a small hobby farm and operate a tree service. This urban boundary expansion will change the way I currently enjoy my property. I will be surrounded by residential development and it's likely that I won't be able to continue with my regular activities. If I am forced to stop my current activities I will have a loss of revenue.

I am therefore opposed to the Northwest Welland Urban Boundary Expansion.

I would like to take this opportunity to ask a few questions:

- The plan indicates that Rice Rd will be four lanes. Is there going to be expropriation of lands to accommodate? Are there turning lanes, sidewalks, and bicycle lanes?
- What is the timeline for a local sewer to be installed?
- Will we be forced to hook up and decommission septic?
- Are homeowners responsible for sewer along the frontage of our property?
- Will there be storm sewers in place of the ditch as well as curbs and gutters?
- As I understand my zoning to be 50% residential and the back half agricultural. Will I be able to carry out agricultural activities as I have for the past 30 years, including the raising of livestock?
- It appears from the plans that east of my rear property line it will be converted to low density residential. Will there be a buffer substantial enough for me to continue my hobby farm, both livestock and gardening?
- I currently operate tractors, chainsaws, wood splinters, saw mill, etc. in the rear yard for firewood processing and occasionally burn fruit tree branches. Will I be permitted to continue to operate these machines, and open burn as per fire department permit?
- In order to allow for low density residential, are there plans to expropriate the back half of my property?

I request a copy of the report and the notice of decision of council.

Regards,
Aurelio Magazzeni

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City of Welland
Infrastructure and Development Services
Planning and Building Division
60 East Main Street, Welland, ON L3B 3X4
Phone: 905-735-1700 Ext. 2251 | Fax: 905-735-8772
Email: devserv@welland.ca | www.welland.ca

OFFICIAL PLAN AMENDMENT #24
(NORTH-WEST WELLAND URBAN EXPANSION)
COMMENTS
(Please Print)

Sept. 9/20

Name 9/6 ANTONIO MAIORANO
851924 Ontario Inc.
Address
City ST. CATHARINES ONT Postal Code L2S 3K1
Telephone No. _____ mail _____

Would you like to be notified by? Email Regular Mail

OWN PROPERTY CORNER OF QUAKER RD & FIRST AVE.

WE HAVE SERIOUS CONCERNS REGARDING THE ROAD PROPOSED. SEE NO NEED FOR IT ESPECIALLY SINCE SEVERELY IMPACTS DEVELOPABLE LAND.

WILL BE ENGAGING CONSULTANTS TO ADDRESS THE ENVIRONMENTAL CONSERVATION AREA. AS FEEL IT CAN BE REDUCED TO ALLOW FOR SOME DEVELOPMENT.

WANT TO ENSURE THAT TRAIL SYSTEM PROPOSED ALSO HAS MINIMAL IMPACT ON POTENTIAL DEVELOPMENT.

ANTONIO MAIORANO

City of Thorold (Part 1) and City of Welland (Part 2)
in the Region Municipality of Niagara

Grant Munday

From: Pasquale Mammoliti
Sent: September 11, 2020 3:47 PM
To: devserv
Cc: Pasquale Mammoliti
Subject: Official Plan Amendment

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I wish to be notified of the decision of the City of Welland and I wish to receive a copy of the staff report on this application.

I am also very interested in the City's plan regarding the road allowance abutting my property on Montgomery Road.

Thank you,
Pasquale and Crystal Mammoliti

Welland

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Rachelle Larocque

From: Dawn McFaul
Sent: September 11, 2020 9:17 AM
To: Rachelle Larocque
Subject: Question fro information session

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Good morning Rachelle,

With regards to the information session held last night, I am wondering if it is all approved and the construction begins what kind of impact can be expected to be experienced by the homes that abut the constructions zones? What can be done to mitigate any possible problems, for example if there are person(s) that have any kind of breathing issue would this type of build impact them and how? Also what kind of impact is expended on Rice road, it is already a busy road especially during the rush hour times.

Any light you can shine on these questions would be greatly appreciated.

Thank you
Dawn McFaul

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https://us2.proofpointessentials.com/index01.php?mod_id=&mod_option=gitem&mail_id=99830239-BNACCkDDQ43g&r_address=chelle.larocque%40welland.ca&report=

Rose DiFelice

From: City of Welland - Contact Us <no-reply@wufoo.com>
Sent: September 23, 2020 11:29 AM
To: devserv
Subject: Contact the City of Welland [#1747]

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Choose an appropriate department to receive this email: Planning & Development Services

Name * sharon harju

Email *

How would you like to receive correspondence?
email

Account Number Northwest Plan Welland
or Address this inquiry pertains to

Comments: *

Hello,
I was unable to get my question to you last night re the meeting on Sept 22 2020 at 7 pm. I would like to find out more about the major road that is intersecting the new proposed development. It seems to end at the back of the commercial properties on Niagara Street at the Thorold boundary. There is no mention about this road and how it will connect to either Niagara Street or to the 406?
What is the plan for the road?

I would like to receive invitations to the meetings where this planning is discussed. I initially received a link from Rachelle for the first meeting, but only received an instacoolio scam email yesterday and nothing from the city. Can I get an invite to future meetings?

Thank you Sharon Harju

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Rose DiFelice

From: alexsandra klein
Sent: September 21, 2020 2:12 PM
To: Rose DiFelice
Subject: Comment to the WS WE Virtual Presentation North west Secondary Plan 2020

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Hello Mrs. R. Difelice,

In this letter I like to comment on the Virtual Presentation of the North West Secondary Plan 2020.

After watching the whole presentation, a couple of times to try to understand what all the impact means for the Summerlea Neighbourhood a couple things caught my attention.

First ; in phase 2 Recap under the Evaluation Criteria is, the last but not least; Ability to provide capacity and level for all water ,storm and sanitary servicing; I miss the connection with our neighbourhood and I miss what the results are / or will be, from the impact it will have on our neighbourhood in the future. At this right moment we have already problems with the storm water capacity due to lacking interest of the city of Welland and the Town of Pelham.

When the subdivision "Timbercreek" was build the problems for our Neighbourhood started and is still valid. The problem still is ;that storm and rain water from the west part of this Timbercreek subdivision is ending in the backyards of the even numbered houses on Summerlea Avenue and the park. The results are that this water stays in their backyards for at least 2 months in the spring which has the result that the still waters are a great place for mosquitoes to lay their eggs which result in a hazard for the neighbourhood and specific for the home owners and the kids who live there.

The other problem is that the creek we have in our neighbourhood is not cleaned up or deepened for the last 20 years and I think that the change in the weather condition are so drastically changed that this creek is not sufficient anymore. This creek runs the storm and rain water from our complete neighbourhood to the pond in the soccer field on the north side of our neighbourhood . The neighbours who have this creek in their backyards have a big problem when the creek runs over and the water ends in their houses.

I hope you see the point I am trying to make; before anything will be decided in making the plans for new subdivisions etc. , I think that the City should care of our subdivision first and have a survey made out to solve this problem first before we run into more problems with all the new plans. I don't see any action of this kind back into the plans.

Yours sincerely,

Sandra Grooteman

Please feel free to contact me at this email address or

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Rose DiFelice

From:
Sent: September 3, 2020 3:09 PM
To: Rose DiFelice
Cc: Councillor Marv Ann Grimaldi; alexsandra.klein; Sandra Klein; Lauraine & Henry Klein; deanna; graeme.murphy; Carrie Sportel; Councillor Adam Moote
Subject: Comments re: Proposed Northwest Welland Secondary plan

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Hello Rose – Thanks so much for sending out the information on the above proposal and the up-coming zoom meetings on the 10th and 22nd. We will be away on the 10th so not able to participate in that one but will be available for the 22nd – I will make a request for the link.

Regarding the proposal – my understanding is that Schedule G – is the proposal for the Northwest secondary plan that will be reviewed on the 10th and possibly with some modifications for the meeting on the 22nd – please keep me informed of any changes prior to the meeting on the 22nd – Thanks so much.

Schedule G looks to be a well thought out developed plan – generally, it was option 2 with some modifications in order to maintain the character of the existing low density residential area known as the Summerlea neighbourhood (Historical Veterans' neighbourhood) which is accessed by Montgomery Road off of Quaker Rd. I was very pleased to see that Montgomery Road will not be extended to the south of Quaker Road and that Summerlea Ave will not be extended east of Montgomery Road – this will definitely ensure the preservation of the Veteran's area. Also, I was very pleased to see the preservation of the existing Green space (Environmental Conservation area and Environmental Protection Area) on the east side of the properties located on the east side of Montgomery Road with a planned trail separating the new proposed low density residential area to the east. Hopefully there will be no changes proposed to those parts of the plan as currently proposed, since it maintains the Veteran's area as a closed neighbourhood with only one vehicular access via Montgomery Road and one emergency access via Summerlea Ave on the west side.

In Summary, I think the plan as proposed on Schedule G looks very promising and I would support it without any modifications.

Thanks
 Sincerely,
 George Sportel

Rachelle Larocque

From: sstanyar
Sent: September 10, 2020 7:07 PM
To: Rachelle Larocque
Subject: north west plan

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In your planning and presentation the present owners do not seem to be considered .
As a property owner on Quaker Rd. near rice I am very angered by my property being changed into mixed use and medium density.
How in the future would our property be acquired and by who?
What would the expected time line for this development to start ?
Why not keep the present properties as they are and develop the vacant lands.
This plan seems to be out of scale to the rest of wellands present method of development.
Let it be said I am against the plan as shown.

S. Stanyar
484 Quaker Rd

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Rachelle Larocque

From: sstanyar
Sent: September 22, 2020 10:16 PM
To: Rachelle Larocque
Subject: Re: north west plan meeting sept 22nd 2020

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Some of my concerns were addressed but not all.

Is it the intention of the city to rezone this area as laid out in the proposal, and if so what would the timing be? To allow developers to proceed as shown Quaker Road would require widening and storm sewers added, how and who would this be doing this work and when? assuming there would be multiple developers and this is Wellands Road. I would like confirmation that property owners will not be forced into selling their properties for this proposal now or in the future, and that we will continue to have our access to Quaker Road as we do now.

Thank you
 S. Stanyar

---Original Message---

From: sstanya
 To: rachelle.larocque@welland.ca <rachelle.larocque@welland.ca>
 Sent: Tue, Sep 22, 2020 9:55 pm
 Subject: Re: north west plan

-----Original Message-----

From: sstanyar
 To: rachelle.larocque@welland.ca <rachelle.larocque@welland.ca>
 Sent: Thu, Sep 10, 2020 7:06 pm
 Subject: north west plan

In your planning and presentation the present owners do not seem to be considered . As a property owner on Quaker Rd. near rice I am very angered by my property being changed into mixed use and medium density.

How in the future would our property be acquired and by who?

What would the expected time line for this development to start ?

Why not keep the present properties as they are and develop the vacant lands.

This plan seems to be out of scale to the rest of wellands present method of development.

Let it be said I am against the plan as shown.

S. Stanyar
 484 Quaker Rd

Rachelle Larocque

From: Xue Wang
Sent: September 16, 2020 1:21 PM
To: Rachelle Larocque
Subject: Northwest Welland

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Hi dear

this is the owner of 744 first ave welland, i just received the letter about the Northwest Welland Secondary Plan.

Can you give me more information about it, and can you let me know when is the next meeting.

I also find out there is propose road seems pass thow my land, can you tell me more about that as well.

And I search conceptual design report as well,i find out during the June one, my property is medium density residential, but in August it seems a low density residential.

Can you help me to clarified that as well.

It is better you can help me to arranges a meeting.
than you

please contact me

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Rose DiFelice

From: Xue Wang
Sent: September 21, 2020 10:30 AM
To: Rose DiFelice
Subject: Northwest Urban Area Expansion Project

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Dear Ms. DiFelice,

Thank you for giving me the opportunity to express my opinion regarding my property located at 744 First Avenue in Welland, Official Plan Amendment and future zoning.

While I am very pleased that this Project is going ahead, and I fully back residential development on my land and in the area, I have a few concerns with regards to the location of the pond.

As per figure 5-3 on page 19 of the servicing plan, the future pond is located on the south perimeter of my lands and very close to the proposed community road. Given that there are green lands just to the south, I think that the pond should be located farther south, so that the road crossing my property could be fully utilized. As now proposed there is only a narrow strip of land so between the road and the pond, allowing only one line of houses. This is inefficient use of land.

I will be represented by Upper Canada Consultants in the near future.

Please contact me to discuss the above matter,

Respectfully,

Xue Wang and Nanxi Pang, owners

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Rachelle Larocque

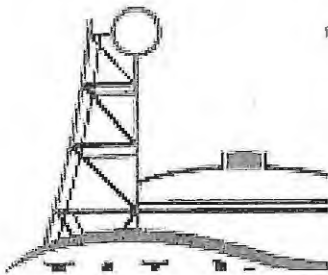
From: Scott Richardson
Sent: September 21, 2020 10:42 AM
To: Grant Munday; Rose DiFelice
Cc: Travers Fitzpatrick; Rachelle Larocque; Sherri-Marie Millar
Subject: RE: NW Welland SP Policies and UDG_Regional Comments-DRAFT (002) - Grant's Comments

Grant/Rose,

The comments from the region are superficial in nature and are good BMP's regardless of the project. This would apply in all cases. I don't have any comments.

On another note it appears the Region is basically telling us how the SWMF will be handled and perceivably negates any comments we may have. It appears yet again they are acting like big brother.

Regards,



C. Scott Richardson, C.E.T.
 Development Supervisor
 Engineering Division
 Infrastructures and Development Services
 Corporation of the City of Welland
 60 East Main Street, Welland, Ontario L3B 3X4
 Phone: (905)735-1700 Ext. 2222 Fax: (905)735-7184
www.welland.ca



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From: Grant Munday <grant.munday@welland.ca>
Sent: September 21, 2020 8:46 AM
To: Rose DiFelice <rose.difelice@welland.ca>; Sherri-Marie Millar <sherri-marie.millar@welland.ca>; Scott Richardson <scott.richardson@welland.ca>
Cc: Travers Fitzpatrick <travers.fitzpatrick@welland.ca>; Rachelle Larocque <rachelle.larocque@welland.ca>
Subject: NW Welland SP Policies and UDG_Regional Comments-DRAFT (002) - Grant's Comments

Rose,

Here are my comments on the Regions Comments. I also marked where SGL should provide commentary.

Scott & Sherri-Marie,

Can you review the Section

SANITARY SEWAGE AND WATER SUPPLY SERVICES (page 12)

STORMWATER MANAGEMENT (Page 12-13)



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.on.ca

October 02, 2020

Our File No.: PLOPA202001047

BY E-MAIL ONLY

City of Welland
Infrastructure and Development Services
60 East Main Street
Welland, ON L3B 3X4

Attention: Rose Di Felice, M.Pl., M.Sc., MCIP, RPP
Manager of Policy Planning, Infrastructure and Development Services

Re: **Niagara Peninsula Conservation Authority (NPCA) Comments
Application to Amend City of Welland Official Plan (OPA No. 29)
Northwest Welland Secondary Plan Area**

NPCA staff have received the above noted application which proposes to amend the City's Official Plan in order to implement the Northwest Welland Secondary Plan. In support of the Secondary Plan, the NPCA has also reviewed several reports and studies including a background report titled "Welland Northwest Area Secondary Plan, Phase 1: Background Studies – Natural Heritage and Natural Hazards Existing Conditions" (dated April 11, 2019) by Aquafor Beech Limited as well as the Draft Secondary Plan Policies, Stormwater Management/Subwatershed Study and the Key Directions Report. NPCA staff note that this application is also related to Regional Official Plan Amendment No 18 and Welland's local Official Plan Amendment 24 (adopted in December). Based on our review of the above, NPCA staff offer the following comments.

The NPCA regulates watercourses, flood plains (up to the 100 year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under *Ontario Regulation 155/06* of the *Conservation Authorities Act*. The NPCA's *Policies, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning* features. The following comments are offered in that context. The comments below also reflect the NPCA's delegated responsibility (through a Memorandum of Understanding with the Province) to provide comments on Planning Applications as they relate to Section 3.1 (Natural Hazards) of the Provincial Policy Statement (PPS).

The Secondary Plan area contains several NPCA regulated watercourses including the Towpath Drain and associated floodplain lands as well as portions of the Niagara Street Cataract Road Woodlot Provincially Significant Wetland (PSW) Complex. There are additional areas of unmapped features that could potentially meet the criteria to be wetlands regulated by the NPCA within the subject area.

In general, the NPCA is satisfied with the Secondary Plan. While it does not appear that all current NPCA regulated watercourses are shown on Schedule G: Northwest Welland Secondary Plan, there are suitable policies incorporated into the text of the Secondary Plan (section 3.8) to ensure that all identified watercourses and headwater drainage features are appropriately dealt with. NPCA staff have no objection to this approach.

NPCA staff would recommend that the requirement of a potential NPCA Work Permit be added to section 3.8 when referring to the alteration or removal of these features.

Similarly, Schedule G does not include all of the unevaluated features (wetland areas). While the Aquafor Beech background report suggests further site specific studies will be required to assess these features, this is not noted in the Secondary Plan policies. It is the opinion of the NPCA that the most appropriate time to study and identify these features should they warrant protection is as early on in the process as possible before site specific applications are proposed. Alternatively, NPCA staff suggest a policy within the Secondary Plan (similar to the policies on the headwater drainage features) should be included to ensure these unevaluated wetland areas and potential further study requirement are noted in consultation with all applicable agencies including the Ministry of Natural Resources and Forestry.

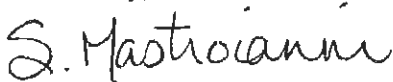
The NPCA notes that it appears the floodplain hazard associated with Towpath Drain is captured within the Environmental Conservation designation on Schedule G. To avoid confusion or misinterpretation of the Floodplain as it should be considered a Hazard, NPCA staff suggest that the floodplain lines be noted as a separate layer on Schedule G. It is also noted that Schedule C2 within the City's Official Plan does not include the updated regulatory floodplain mapping for this section of the Towpath Drain. This should also be considered.

Lastly, NPCA staff note that the Plans within the Background Report identify the floodplain along Towpath Drain as being Advisory. Please be advised that this area is in fact regulatory and should be noted/treated as such on all future plans.

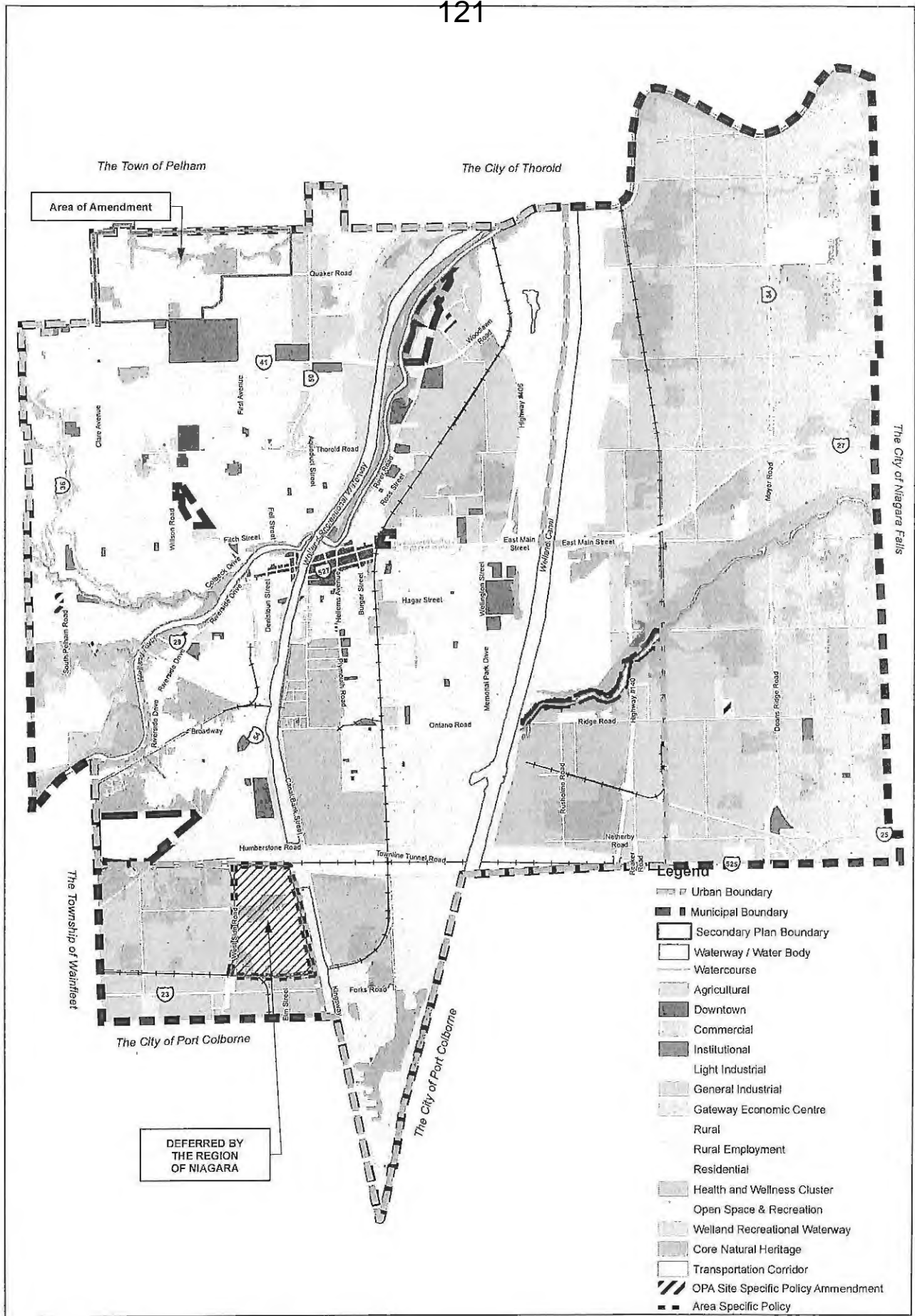
Conclusion

NPCA staff are supportive of the Northwest Wetland Secondary Plan and therefore offer no objections to this application. Please send a copy of any staff reports to Committee/Council once they are available. If you have any questions, please let me know

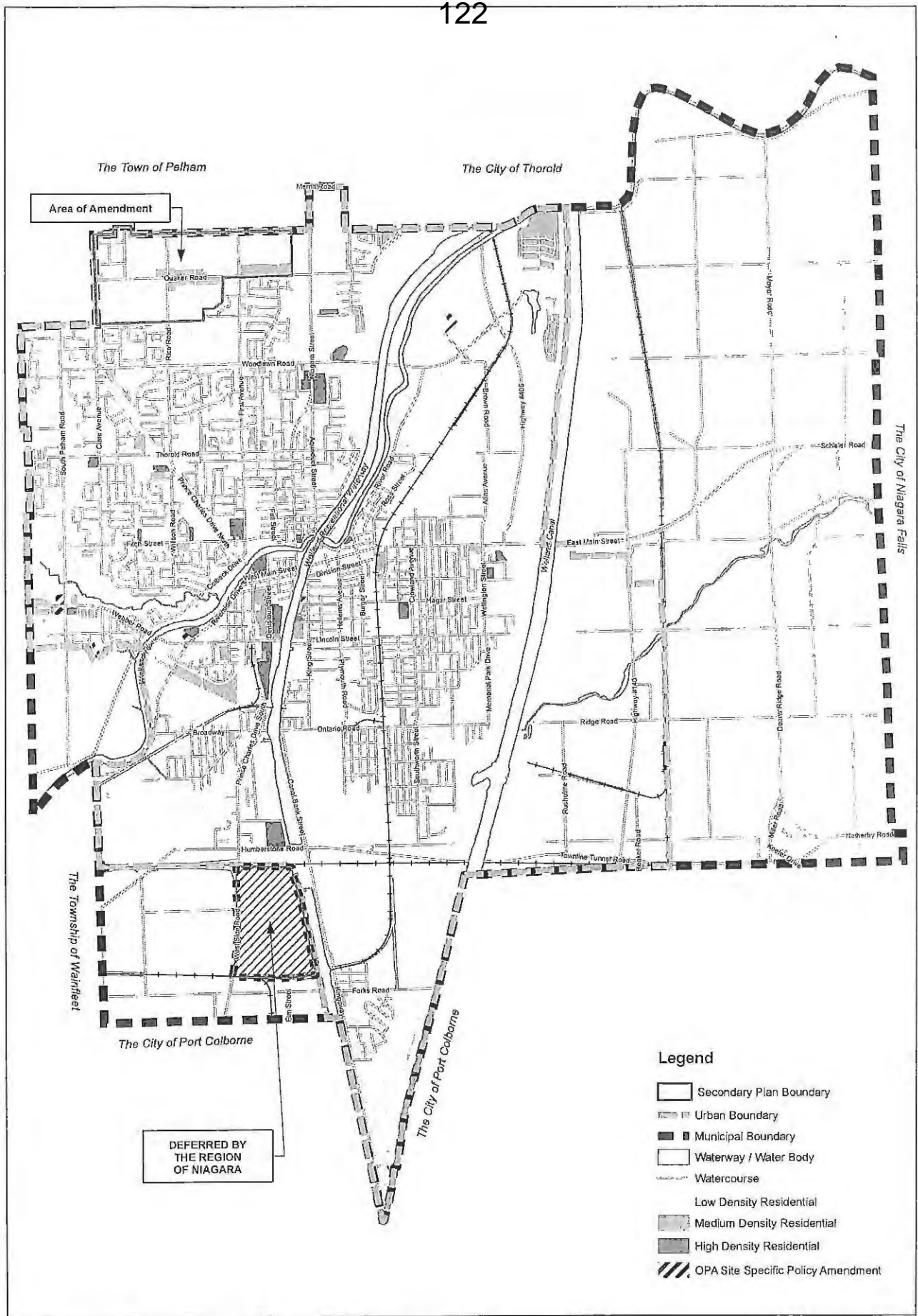
Yours truly,



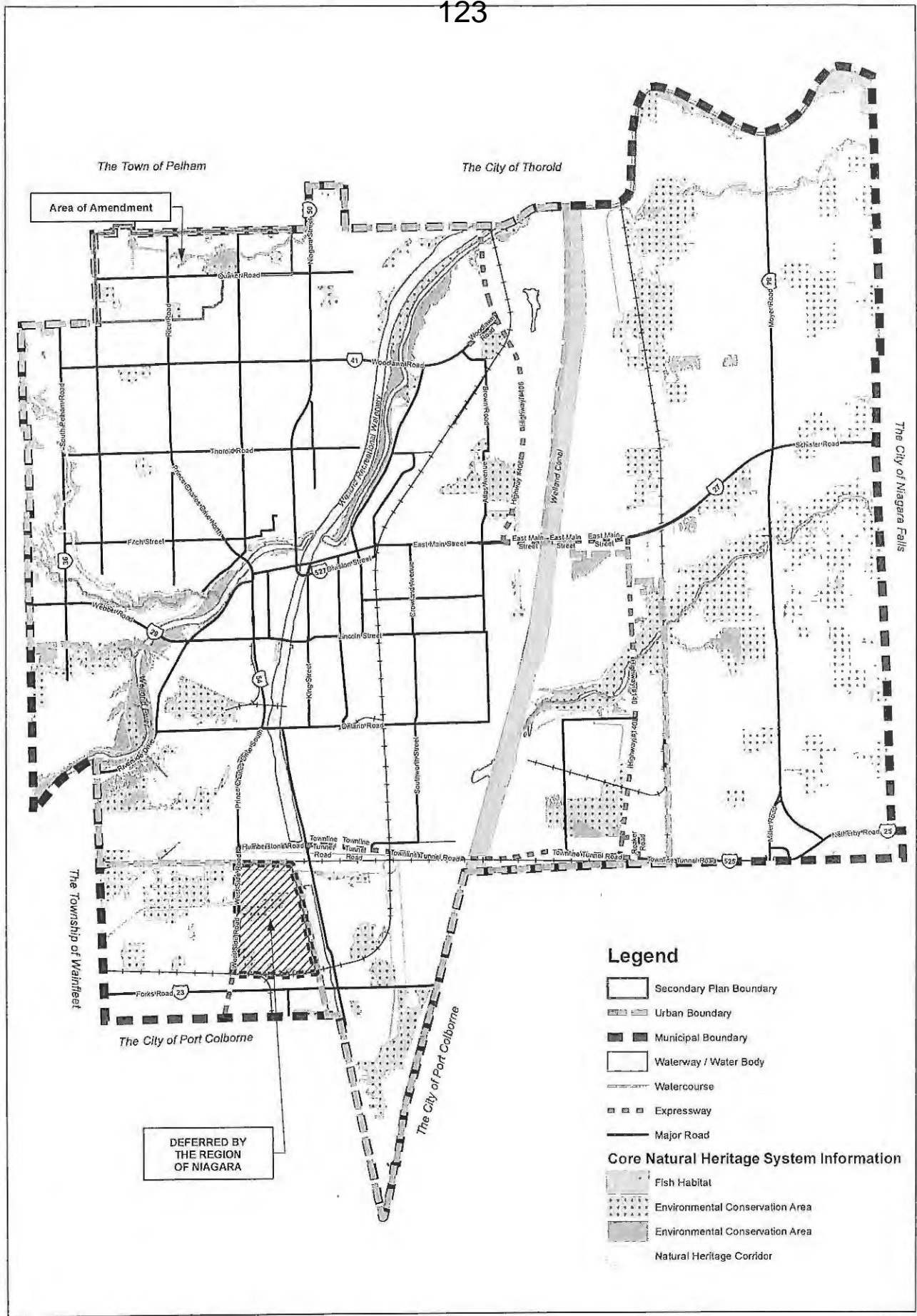
Sarah Mastroianni,
Watershed Planner
(905) 788-3135, ext. 249



Schedule B: Land Use Map



Schedule B1: Residential Hierarchy Land Use Map



Legend

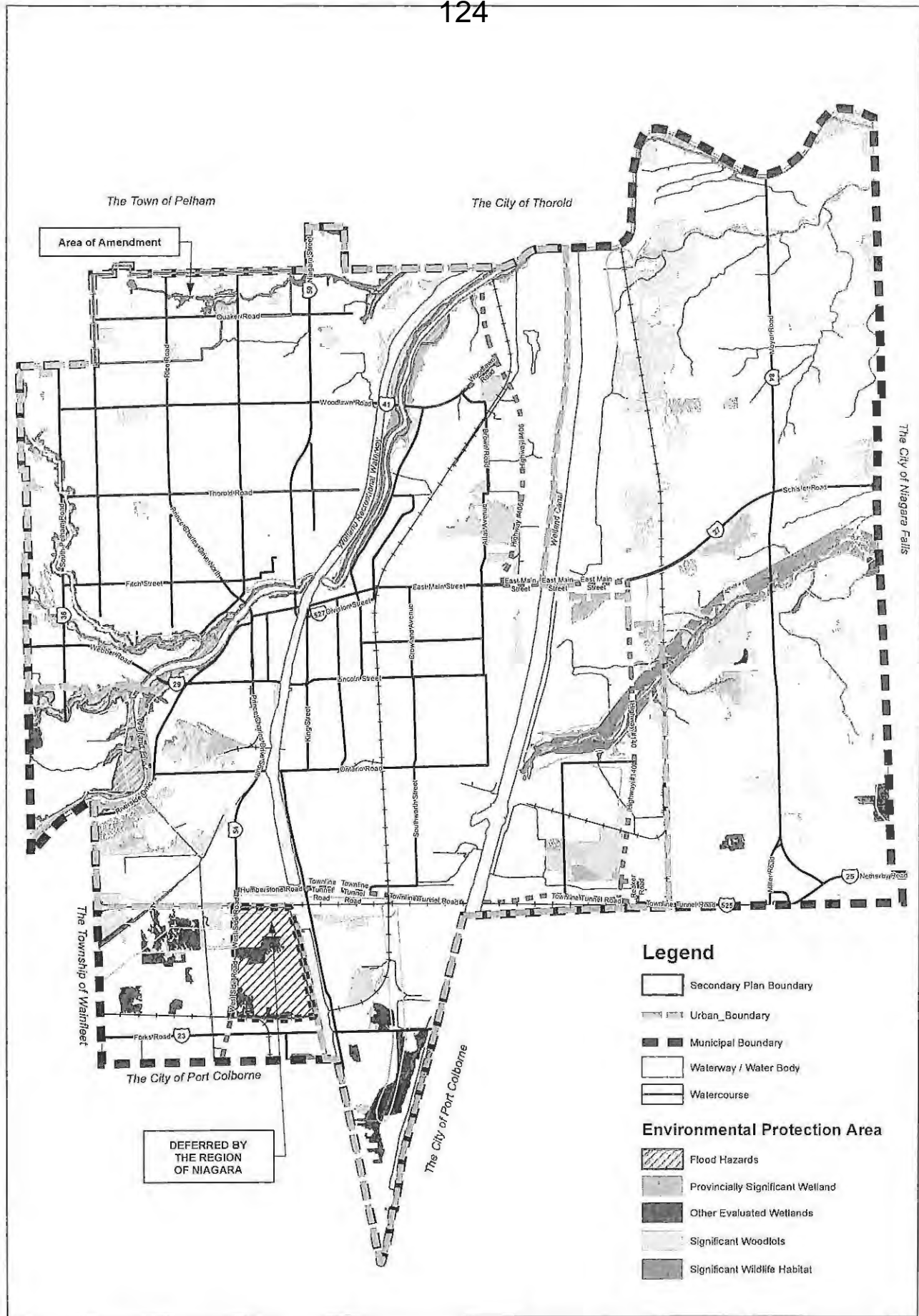
- Secondary Plan Boundary
- Urban Boundary
- Municipal Boundary
- Waterway / Water Body
- Watercourse
- Expressway
- Major Road

Core Natural Heritage System Information

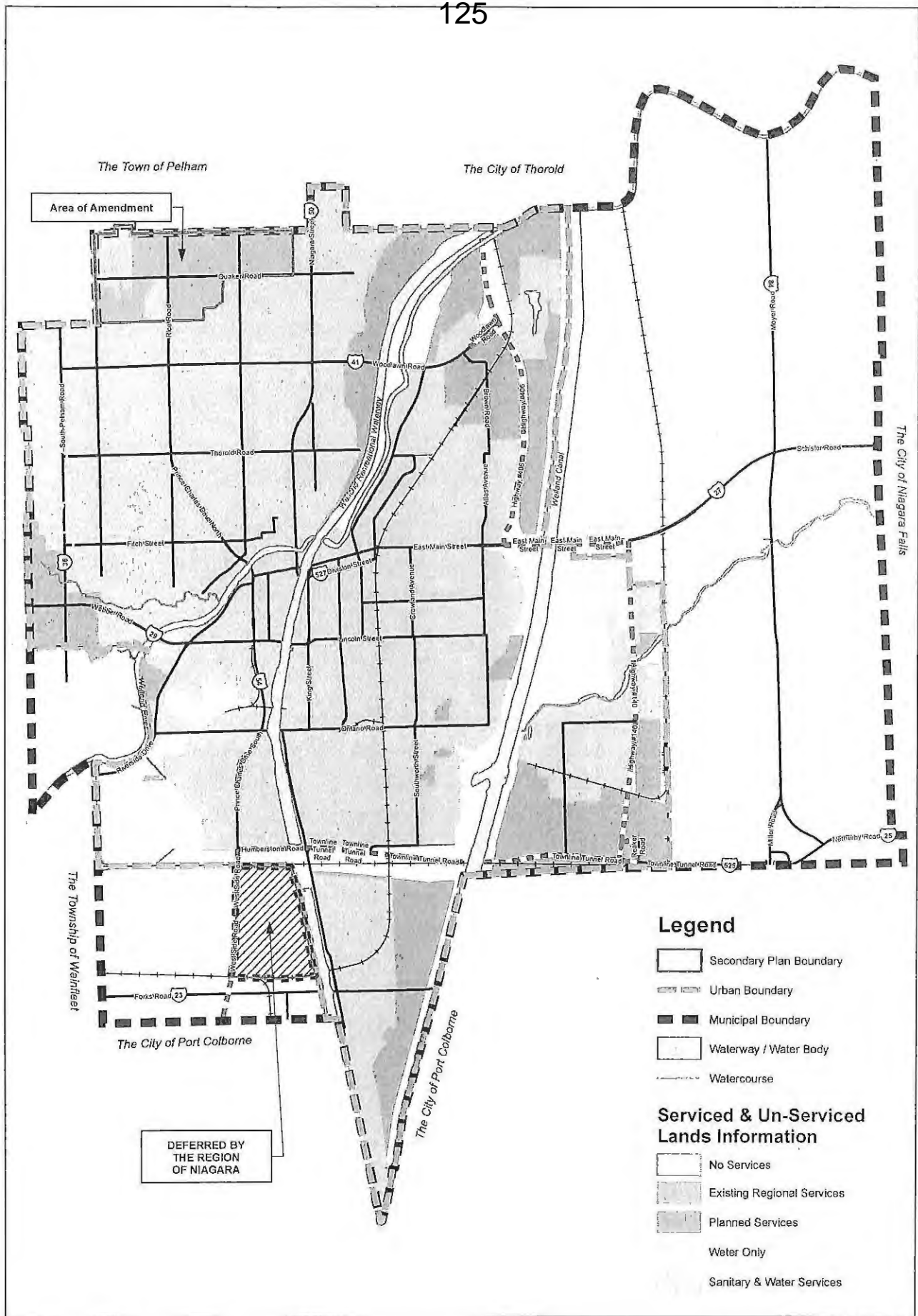
- Fish Habitat
- Environmental Conservation Area
- Environmental Conservation Area
- Natural Heritage Corridor

Schedule C: Core Heritage System



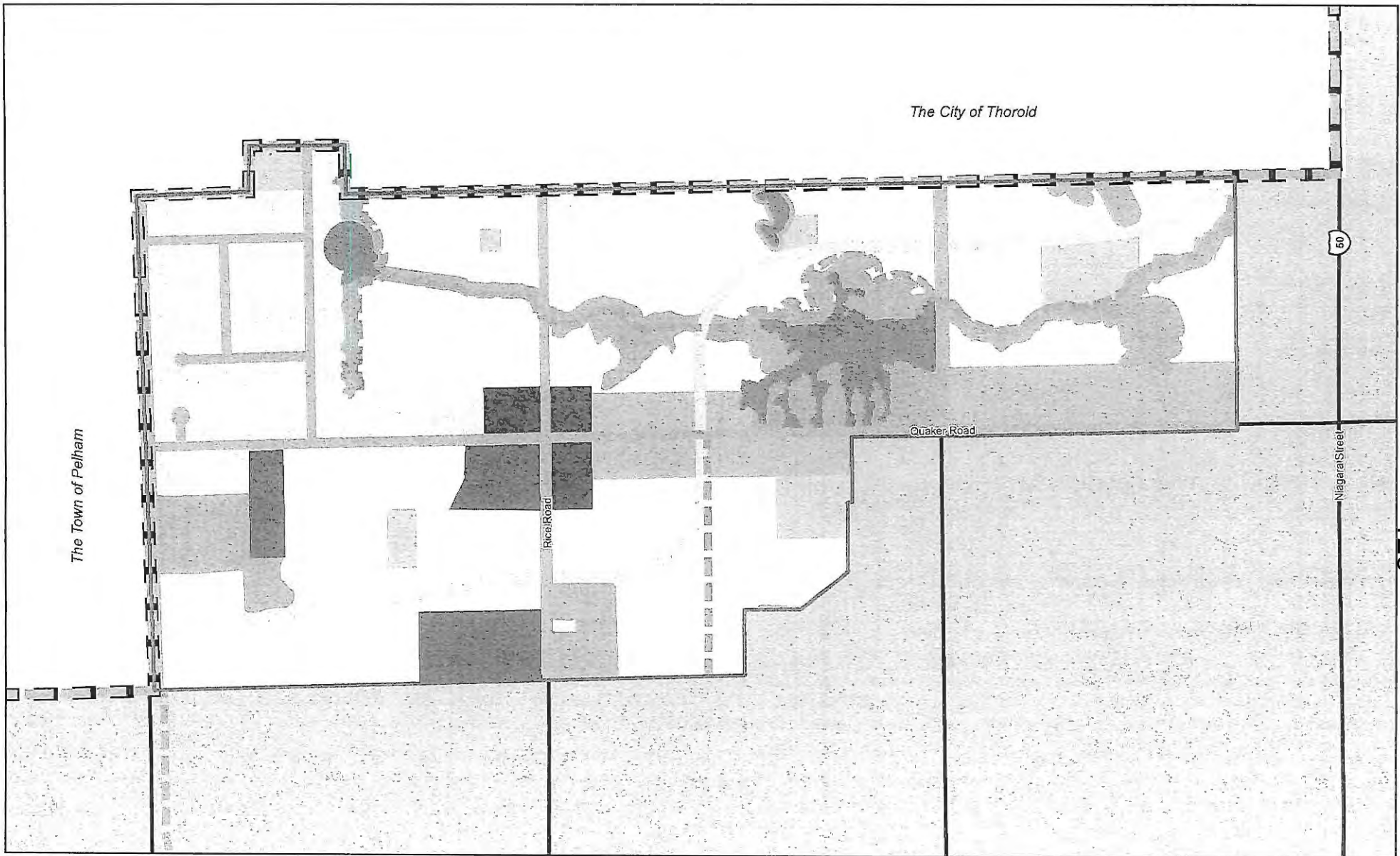


Schedule C1: Components of the Natural Heritage System



Schedule D: Service and Un-Served Lands

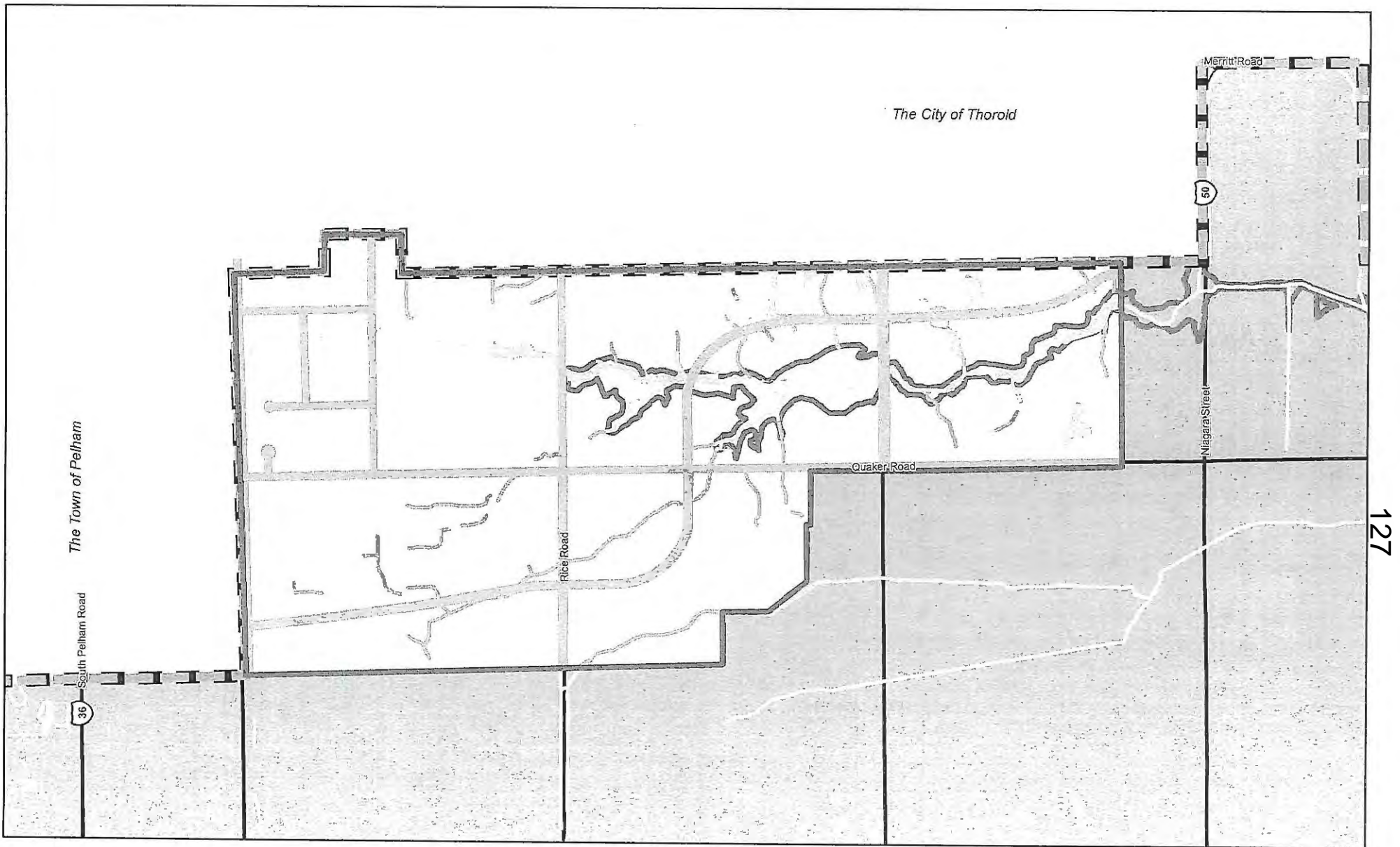




SCHEDULE G: NORTHWEST WELLAND SECONDARY PLAN



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APPENDIX I - MAP 4 Northwest Wetland Hydrological Features

-  Secondary Plan Boundary
-  Urban Boundary
-  I Welland Boundary Line
-  Watercourse
-  Headwater Drainage Features
-  Wetlands <0.5 ha outside of the EPA and ECA designations
-  Floodplain



1. **Background and Planning Context**

- Northwest Welland is intended to accommodate future urban growth within the City through orderly, sequential and contiguous Designated Greenfield Area development along with infill in the Built Up Area. The Secondary Plan Area is well positioned for the establishment of a new complete community that will integrate with surrounding built up areas, provide connections, and effectively accommodate existing and planned infrastructure.
- As delineated on Schedule G, the Northwest Welland Secondary Plan Area covers approximately 190 hectares of land along Quaker Road and is generally bound by the Town of Pelham and City of Thorold to the north, the Niagara College Welland Campus to the south, the rear lot lines of properties abutting Niagara Street to the east, and Line Avenue and Clare Avenue to the west.
- Schedule G outlines the detailed land use designations for the Secondary Plan Area. Section 3 outlines the policies specific to each land use designation, which will direct development within the Secondary Plan Area, together with the vision and objectives for Northwest Welland as outlined in Section 2.
- All development within Northwest Welland shall consider the design and built form direction of both the Welland Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.
- The minimum density target for Welland's Designated Greenfield Areas shall be 50 residents and jobs combined per gross hectare.

2. **Vision and Objectives**

2.1. **Vision**

- Over time, Northwest Welland is envisioned to evolve into a complete community that will accommodate future growth and development in the City in a manner that respects the existing character and built form of the area, as well as the natural environment. New low density residential areas will develop as extensions of existing established neighbourhoods within the community, and new medium density residential growth will serve to intensify Quaker Road to the east of Rice Road, providing for a more walkable, transit supportive community close to parks, trails, and schools. The centralized mixed use node located at the intersection of Quaker Road and Rice Road will provide intensified residential and commercial growth to help achieve a balanced community where residents can live, work, learn, and play.

2.2. Objectives

- To protect and enhance natural heritage features, areas, and corridors of Northwest Welland within the City's broader linked natural heritage system.
- To promote healthy and active living for all ages and abilities by providing active transportation options and developing a continuous and connected open space system, a safe and walkable pedestrian realm, and a trail system that links the community to destinations such as natural areas, parks, schools, stores, and recreation areas.
- To create a unique and inclusive community for residents by providing for a diverse range of housing types and a variety of uses located within the area.
- To maintain the low density residential character of existing neighbourhoods, while developing a new community that is compact, connected, walkable, and diverse.
- To reduce traffic congestion by providing a balanced road network for local residents, businesses, students, and visitors supportive of the public transit network.
- To conserve, protect and integrate built and cultural heritage elements as per Section 6.6 of this Plan.
- To implement sustainable community design initiatives that ensure conservation of water resources and adaptation to climate change.

3. Land Use Structure

3.1. Low Density Established Residential

3.1.1. Planned Function

- The Low Density Established Residential designation recognizes the existing residential neighbourhoods within the Secondary Plan Area.

3.1.2. Permitted Uses

- Permitted uses for lands designated Low Density Established Residential on Schedule G shall be in accordance with Section 4.2.2.2.B Low Density Residential of this Plan.

3.1.3. Scale

- Low-rise residential infill and intensification should respect and fit in with the character of existing low density residential neighbourhoods, in terms of built form, scale and massing, in accordance with Section 4.2.3.1 Design Policies

for Existing Neighbourhoods, and 4.2.3.6 Infill and Intensification Development of this Plan.

3.1.4. *Design*

- The design of development for lands designated Low Density Established Residential on Schedule G shall be in accordance with Section 4.2.2.2.D Low Density Residential of this Plan, except as modified below by the policies outline below.
- Low density residential development within existing neighbourhoods shall reflect the design and built form direction of both the Welland's City-wide Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.
- Within the Low Density Established Residential designation, new development shall reflect the predominant building type, height, scale, massing, and setbacks of the surrounding neighbourhood.
- Buildings should be street related, with consistent setbacks to create a harmonious relationship to the street.
- Residential development shall be designed to retain existing trees and enhance existing vegetation wherever possible.

3.2. Low Density Greenfield Residential

3.2.1. *Planned Function*

- The Low Density Greenfield Residential designation recognizes future low density residential development areas on vacant designated lands.
- The density of lands designated Low Density Greenfield Residential on Schedule G shall be planned in accordance with Section 4.2.2.2.A Low Density Residential of this Plan.

3.2.2. *Permitted Uses*

The permitted uses for lands designated Low Density Greenfield Residential on Schedule G shall be in accordance with Section 4.2.2.2.B Low Density Residential of this Plan.

3.2.3. *Scale*

- The scale of lands designated Low Density Greenfield Residential on Schedule G shall be planned in accordance with Section 4.2.2.2.C Low Density Residential of this Plan.
- New low density development should accommodate low-rise dwellings that are appropriately spaced and do not cause any adverse impacts from

shadows or overlook and provide an appropriate transition of lot sizes adjacent to Low Density Established Residential designations.

3.2.4. *Design*

- The design of development for lands designated Low Density Greenfield Residential on Schedule G shall be in accordance with Section 4.2.2.2.D Low Density Residential of this Plan, except as modified below by the policies outlined below.
- Low density residential development within new neighbourhoods shall reflect the design and built form direction of both the Welland's City-wide Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.
- New residential development within the Low Density Greenfield Residential designation shall be designed in accordance with Section 4.2.3.2 Design Policies for New Neighbourhoods of this Plan.
- Buildings should be street related, with consistent setbacks to create a harmonious relationship to the street.
- Residential development shall be designed to retain existing trees and enhance existing vegetation wherever possible.
- Street plantings and additional on-site landscaping should be incorporated within new low density residential neighbourhoods.
- Pedestrian safety and active transportation shall be supported in new neighbourhoods through the provision of sidewalks, walkways, trail connections, frequent intersections, attractive streetscapes, and landscaping.
- New lots are prohibited to back onto public streets.
- Where possible, buildings and lots are encouraged to front onto natural heritage features, parks, open spaces and trails.

3.3. Medium Density Residential

3.3.1. *Planned Function*

- The Medium Density Residential designation is intended to provide for residential development at increased densities along Quaker Road, east of Rice Road within the Secondary Plan Area to support walkability, transit, and active transportation, as well as the viability of the future mixed use node located at Quaker Road and Rice Road.

- The planned density of lands designated Medium Density Residential on Schedule G shall be planned in accordance with Section 4.2.2.3.A Medium Density Residential of this Plan.

3.3.2. *Permitted Uses*

- Permitted uses for lands designated Medium Density Residential on Schedule G shall be in accordance with Section 4.2.2.3.B Medium Density Residential of this Plan.

3.3.3. *Scale*

- Lands designated Medium Density Residential shall have a maximum height of six storeys.
- The highest densities within this designation are encouraged to be developed adjacent to the Mixed Use Designation area at Quaker Road and Rice Road.

3.3.4. *Design*

- The design of development for lands designated Medium Density Residential on Schedule G shall be in accordance with Section 4.2.2.3.D Medium Density Residential of this Plan, except as modified below by the policies outlined below.
- Medium density residential development shall reflect the design and built form direction of both the Welland Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.
- Development within the Medium Density Residential designation should provide appropriate transitions in heights, densities, and scale adjacent to the Low Density Residential designation.
- Buildings should be oriented to front and define the street edge at a pedestrian scale. They should generally be placed on a site to respect a consistent setback and provide for continuity in built form that maintains a relationship to the street.
- Development shall be designed and sited to provide a cohesive main street appearance along Quaker Road through the integration of landscaping and complementary built form elements.
- Direct vehicular access to individual dwelling units will not be permitted from Quaker Road. Buildings positioned to face Quaker Road should be accessed by rear lanes off a public street. Window streets are discouraged in order to allow dwellings to be located close to Quaker Road.

- The design and location of vehicular access points shall minimize their impact on the streetscape.
- Consolidated vehicular access points, paired driveways, and shared parking areas are encouraged on local streets to increase the boulevard space for street trees and on-street parking. Driveways are to be no wider than the width of the garage to minimize the amount of impermeable surfaces in front yards.
- New lots are prohibited to back onto arterial and collector roads.
- Where possible, buildings and lots are encouraged to front onto natural heritage features, parks, open spaces and trails.

3.4. Mixed Use

3.4.1. Planned Function

- The intended function of the Mixed Use Designation located at the corner of Quaker Road and Rice Road is to create a central mixed use node that will provide a variety of retail opportunities to serve the needs of local residents living in close proximity to the area in a pedestrian and transit-oriented manner. The function of the Mixed Use designation is also to provide opportunities for a range of higher density residential housing.
- The development of one or more privately-owned publicly accessible urban squares is encouraged at the intersection of Quaker Road and Rice Road. This space is envisioned to provide an internal focal point for the area and function as a public gathering space servicing the immediate neighbourhood and any visitors to the area.

3.4.2. Permitted Uses

- The permitted uses for lands designated Mixed Use on Schedule G shall be developed in accordance with Section 4.4.2.5.B Community Commercial Node of this Plan, except as modified by the policies outlined below.
- The intent of the Mixed Use designation is to accommodate a mix of two or more permitted land uses on a site, either within the same building or integrated as separate buildings on the lot.
- Both stand-alone commercial buildings and mixed use buildings accommodating commercial and residential uses are permitted within the Mixed Use designation. Drive-through facilities will not be permitted.
- Permitted residential buildings shall be in the form of triplexes, fourplexes, townhouses, stacked townhouses, live-work buildings and low-rise apartment buildings.

3.4.3. *Scale*

- Mixed use buildings are encouraged to be located closest to the intersection of Quaker Road and Rice Road. Buildings at this intersection should be the tallest within the Mixed Use Designation, to a maximum height of 8 storeys.
- The minimum height for stand-alone commercial buildings shall be 2 storeys.

3.4.4. *Design*

- The design of development for lands designated Mixed Use on Schedule G shall be developed in accordance with Section 4.4.2.5.D Community Commercial Node of this Plan, except as modified by the policies outlined below.
- Development within the Mixed Use designation shall reflect the design and built form direction of the Northwest Welland Urban Design Guidelines, included as an addendum to the Welland Urban Design Guidelines.
- Site and building planning should encourage the creation of a high quality public realm within Northwest Welland's mixed use node through the inclusion of landscaped areas, weather protective designs, building entrances and active built spaces and uses at the street line to enhance pedestrian safety and comfort.
- Buildings located at Quaker Road and Rice Road should be massed to establish a strong street edge and pedestrian environment.
- All buildings should be located at or close to the street line and create a generally continuous building face to frame the street and to create a unified streetscape at a pedestrian scale.
- Principal building entrances, primary windows and signage shall face the sidewalk and provide direct access onto the public sidewalk.
- Development shall provide for a transition in heights and densities adjacent to Low Density Residential areas and ensure that appropriate setbacks are proposed in relation to adjacent properties.
- Vehicular access points shall be consolidated where possible and common parking areas should be situated at the rear or side of lots. Where side yard parking is exposed to the street, it shall be screened by landscaping or built features in order to minimize impacts on streetscapes.
- Driveways to individual residential units along Quaker Road and Rice Road are not permitted, but consolidated driveways to commercial and mixed use developments will be considered through the site plan approval process.

3.5. General Institutional

- Institutional uses and sites within Northwest Welland are designated General Institutional on Schedule G. Development on these lands should be planned in accordance with Section 4.5 Institutional Areas of this Plan.

3.6. Parks, Open Space and Recreation

- Lands designated Open Space and Recreation on Schedule G shall be developed in accordance with Section 6.2 Parks, Open Space and Recreation of this Plan, in addition to the policies outlined below.
- Within Northwest Welland, these lands should be developed and maintained as Neighbourhood Parks, which shall serve the immediate recreation needs of a neighbourhood within walking distance of the area being served.
- New Open Space and Recreation designations are symbolically shown on Schedule G and shall be further delineated at the time of development review and approval. Development of these lands should be designed in accordance with Section 6.2.2.1.F Design of New Parks and Facilities of this Plan.
- While not shown on Schedule G, Parkettes should be also developed within the new low density residential neighbourhoods of Northwest Welland in order to support increased access to greenspace for residents. The location of these areas will be further delineated throughout the development process. They should generally be located within a 200 to 400 metre walking distance of the neighbourhood area they serve.

3.7. Environmental Protection Area

- Lands designated Environmental Protection Area on Schedule G shall be subject to the policies of Section 6.1 Environment of this Plan.

3.8. Environmental Conservation Area

- Lands designated Environmental Conservation Area on Schedule G shall be subject to the policies of Section 6.1 Environment of this Plan.
- As shown on Appendix 1 – Map 4, a number of drainage features within Northwest Welland are identified as potential Headwater Drainage Features. A Headwater Drainage Feature Assessment shall be required to the satisfaction of the City and the Conservation Authority prior to approval of development adjacent to those drainage features. The assessment shall evaluate and classify the drainage feature status based on criteria established

by the Conservation Authority and shall determine if the drainage features are to be maintained in-situ, can be relocated or can be removed.

- As shown on Appendix 1 – Map 4, a number of small wetlands less than 0.5 hectares in size are identified within Northwest Welland. Prior to development, evaluation of these wetlands should be undertaken to determine if they are significant and warrant protection.
- Where drainage features are to be removed, applications for development shall restore lost functions through enhanced lot level controls as feasible.
- Where drainage features are to be maintained or moved, applications for development shall use natural channel design techniques to maintain or enhance the overall productivity of the reach.

4. Other Policy Directions

4.1. Sustainability

- New Development should incorporate sustainable design features to conserve energy and resources, reduce greenhouse gas emissions and the urban heat island effect, prevent flooding, and protect drinking water supply.
- Green infrastructure and Low Impact Development measures for stormwater management are encouraged such as permeable paving, rain gardens, bioswales, green roofs and other techniques, shall be considered in the design of new development and implemented to the extent feasible, as determined by the development process.
- Land use patterns and transportation networks should be designed to support walking, cycling and transit as preferred modes of transportation, in order to reduce traffic and encourage active and sustainable lifestyles for residents.
- A wide selection of native trees, shrubs and wildflowers should be used in landscaping, and the functional use of plant material in new development is encouraged to create microclimates that allow for energy conservation. Deciduous trees and shrubs should be chosen that shade windows from summer sun and allow sunlight to enter during the winter.

4.2. Transportation

- The Northwest Welland Secondary Plan area shall be developed in accordance with Section 6.4 Transportation of this Plan.

4.3. Infrastructure and Utilities

- The Northwest Welland Secondary Plan area shall be developed in accordance Section 6.5 Infrastructure and Utilities of this Plan.

4.4. Arts, Culture and Heritage

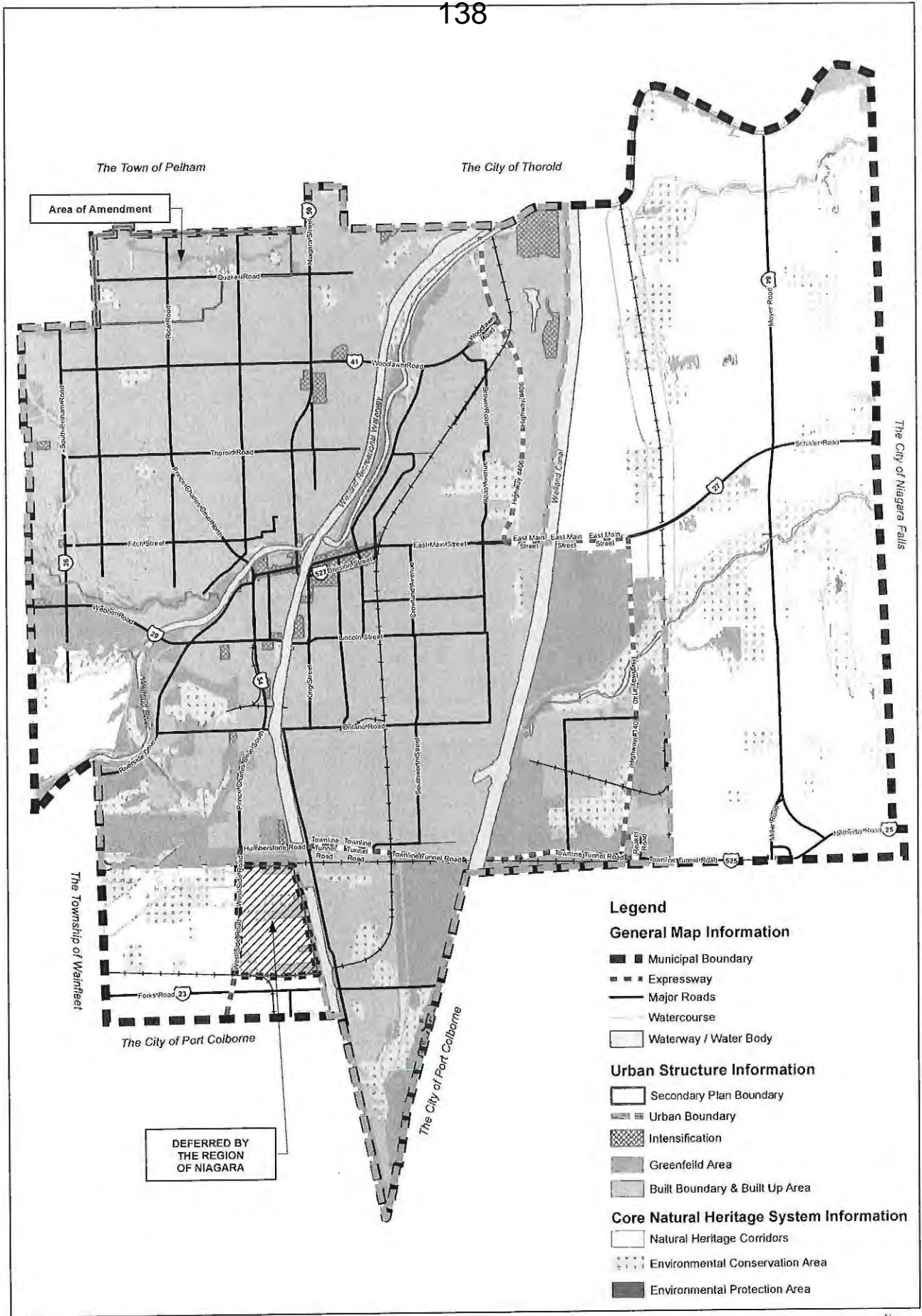
- The Northwest Welland Secondary Plan area shall be developed in accordance with Section 6.6 Arts, Culture and Heritage of this Plan, in addition to the policies outlined below.
- All proposed development within the Secondary Plan Area will require a Stage 2 Archeological Assessment, which is to be submitted to the Province and Region of Niagara for review. The findings and recommendations of Archaeological Assessments shall be incorporated into development plans where necessary and appropriate.
- Any proposed development on or adjacent to an identified or potential cultural heritage resource will require a Cultural Heritage Impact Assessment to further assess the cultural heritage value of the identified resource and to ensure that significant cultural heritage resources in the Secondary Plan Area are conserved

4.5. Phasing of Development

- Development shall be phased in line with the timely provision of community facilities and infrastructure within each block represented by the existing boundary arterial roads.

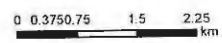
5. Implementation

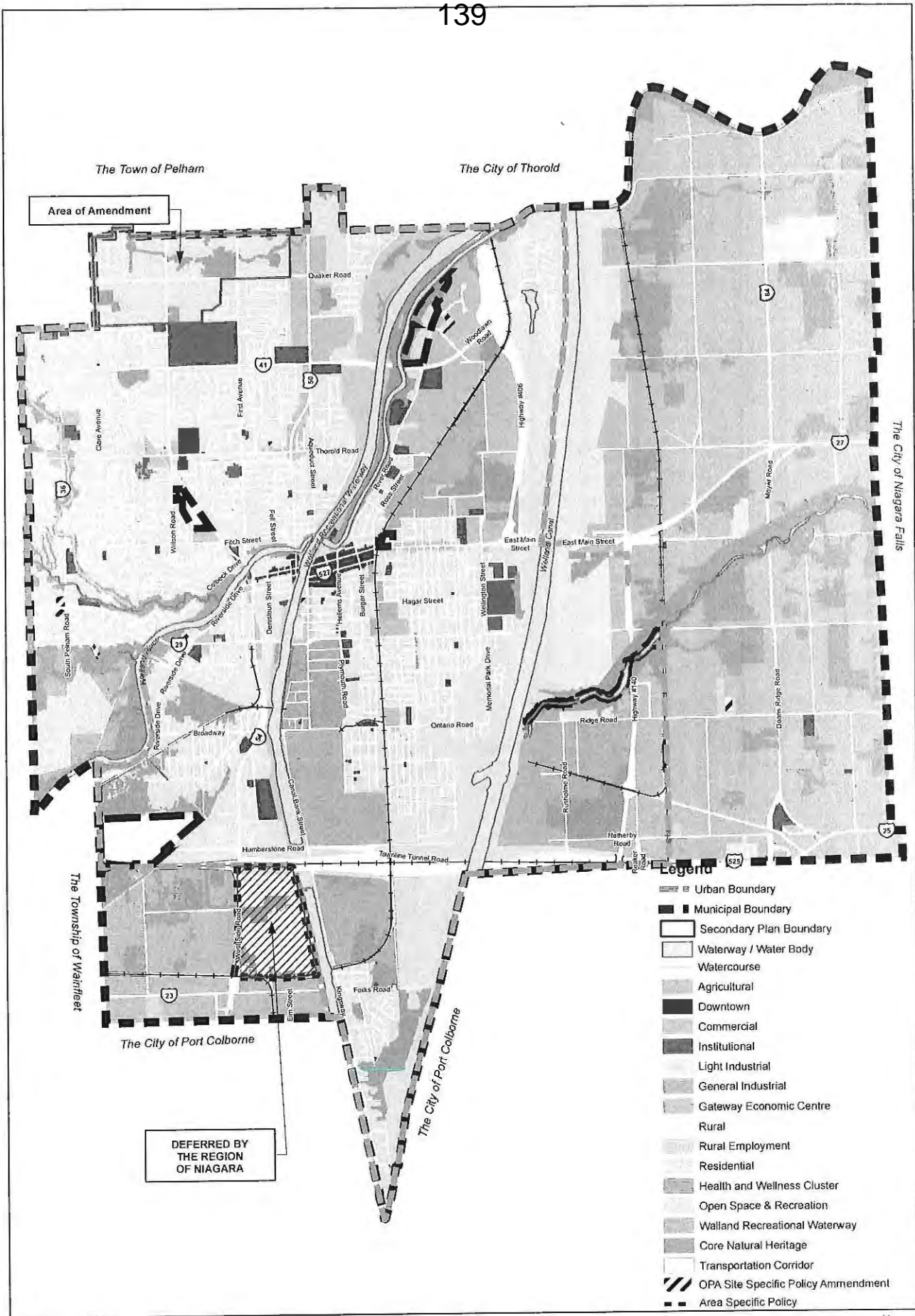
- The implementation of the Northwest Welland Secondary Plan will be in accordance with Section 7 Implementation of this Plan.



- Legend**
- General Map Information**
- Municipal Boundary
 - Expressway
 - Major Roads
 - Watercourse
 - Waterway / Water Body
- Urban Structure Information**
- Secondary Plan Boundary
 - Urban Boundary
 - Intensification
 - Greenfield Area
 - Built Boundary & Built Up Area
- Core Natural Heritage System Information**
- Natural Heritage Corridors
 - Environmental Conservation Area
 - Environmental Protection Area

Schedule A: City Structure

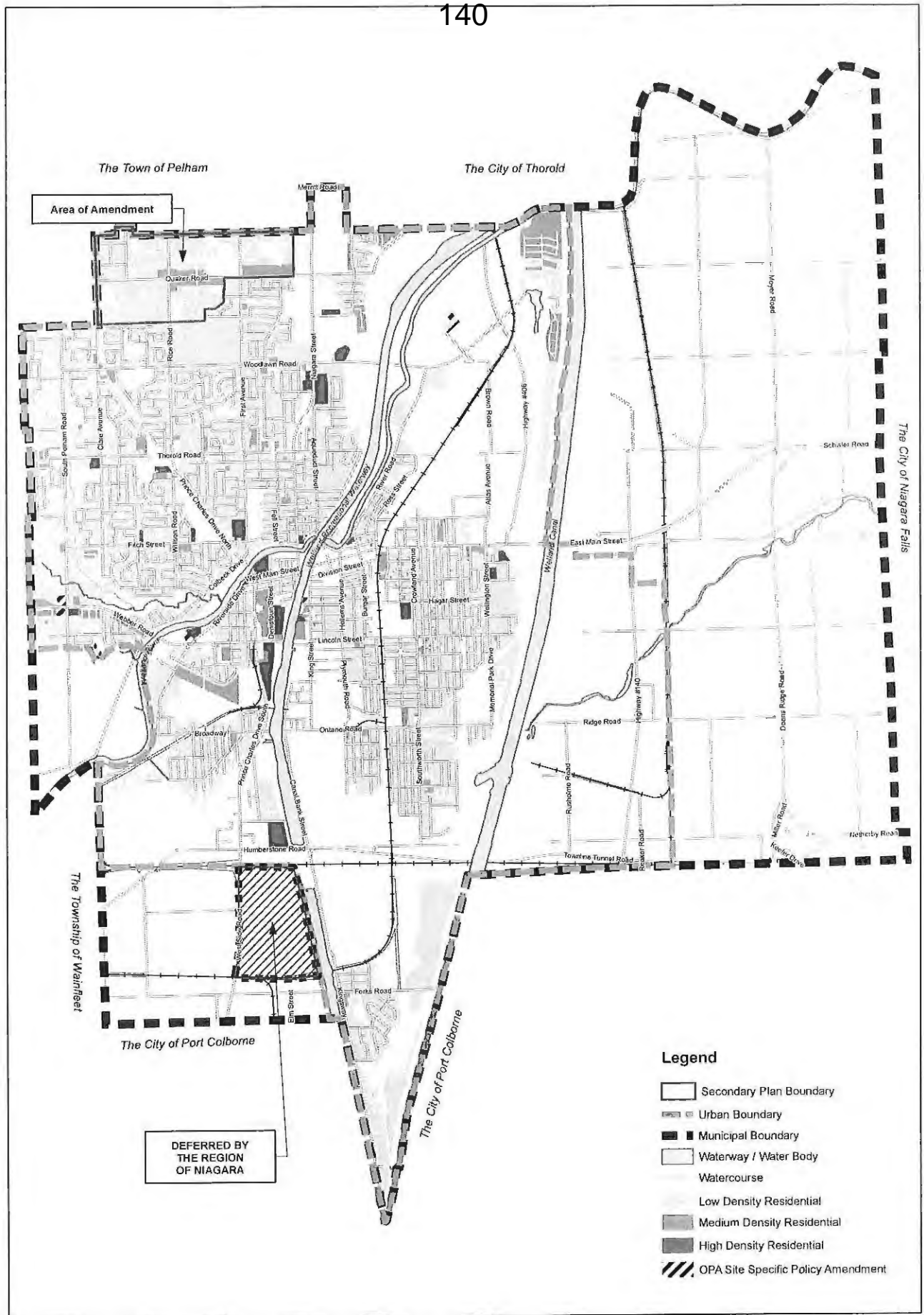




Area of Amendment

DEFERRED BY THE REGION OF NIAGARA

Schedule B: Land Use Map



Area of Amendment

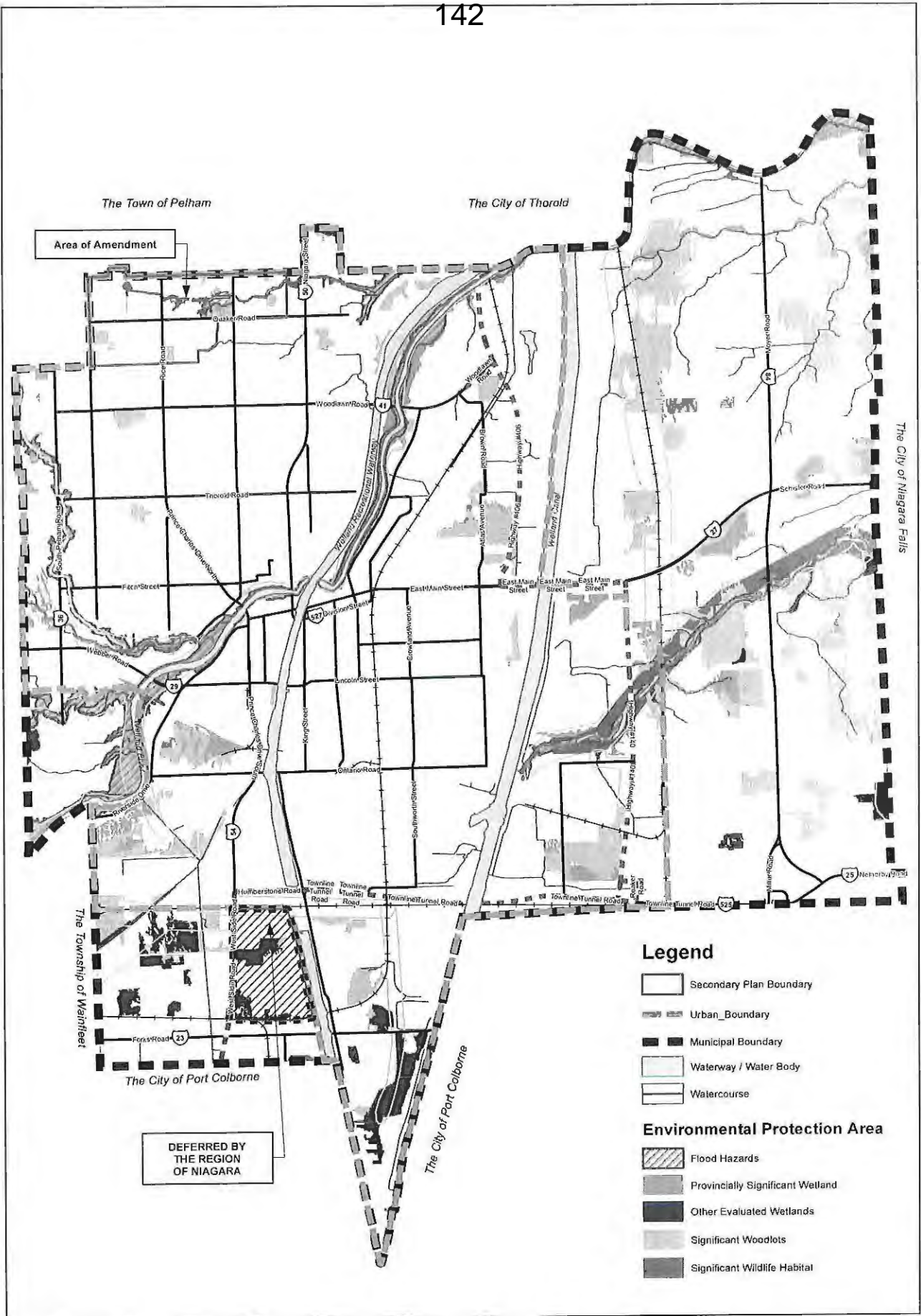
DEFERRED BY THE REGION OF NIAGARA

Legend

- Secondary Plan Boundary
- Urban Boundary
- Municipal Boundary
- Waterway / Water Body
- Watercourse
- Low Density Residential
- Medium Density Residential
- High Density Residential
- OPA Site Specific Policy Amendment

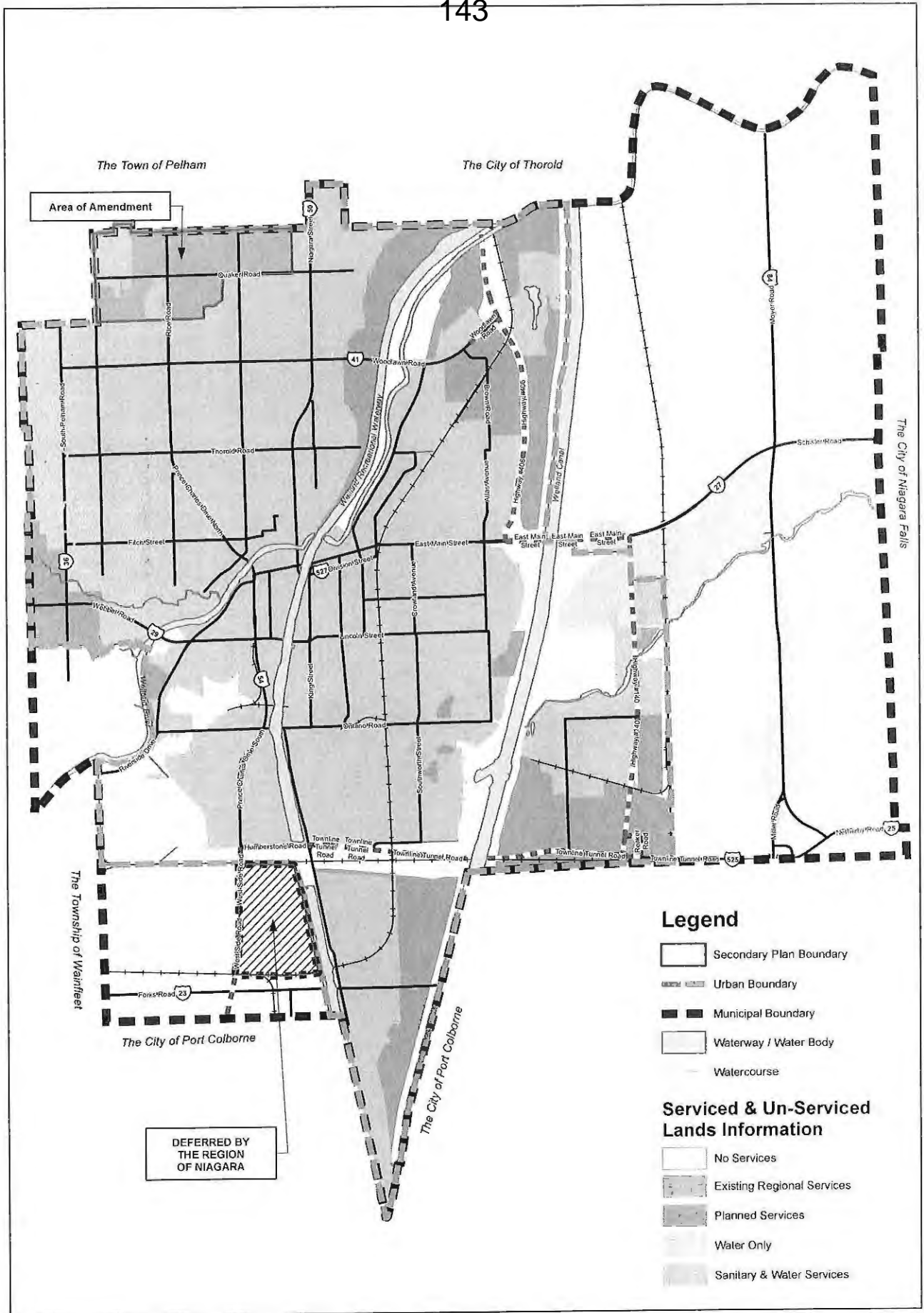
Schedule B1: Residential Hierarchy Land Use Map





Schedule C1: Components of the Natural Heritage System



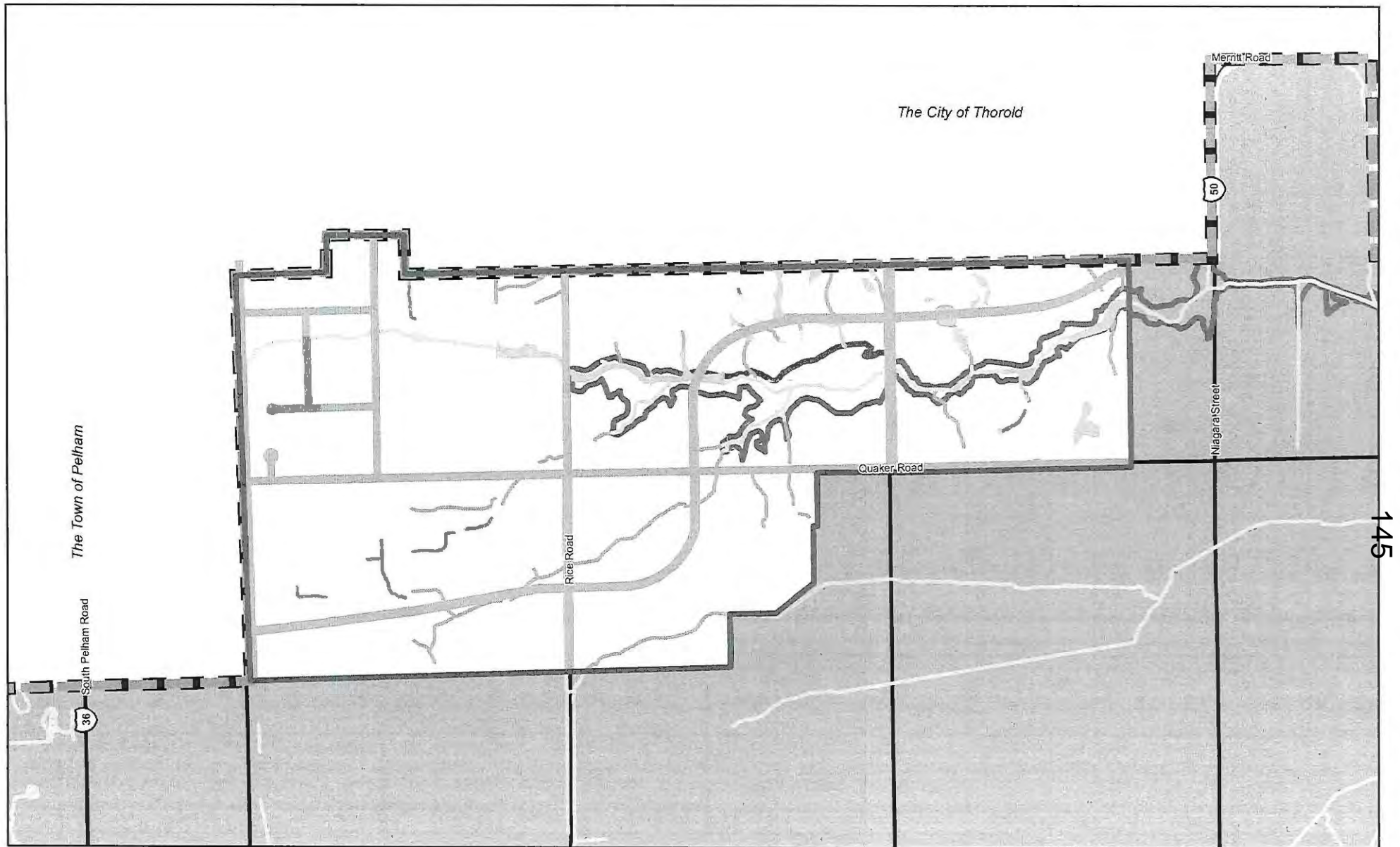


Schedule D: Service and Un-Served Lands



SCHEDULE G: NORTHWEST WELLAND SECONDARY PLAN





APPENDIX I - MAP 4 Northwest Welland Hydrological Features

-  Secondary Plan Boundary
-  Wetlands <0.5 ha outside of the EPA and ECA designations
-  Urban Boundary
-  Welland Boundary Line
-  Floodplain
-  Watercourse
-  Headwater Drainage Features



145

APPROVALS
GENERAL MANAGER
CFO
CAO

COUNCILINFRASTRUCTURE AND DEVELOPMENT SERVICES

20 112

REPORT P&B-2020-64
OCTOBER 27, 2020

**SUBJECT: APPLICATION FOR ZONING BY-LAW AMENDMENT
(2020-08) SUBMITTED BY U. LUCCHETTA
CONSTRUCTION FOR ALL LANDS WITHIN THE RM-5
ZONE**

**AUTHOR: RACHELLE LAROCQUE, BES, M.Sc., MCIP, RPP
PLANNING SUPERVISOR**

**APPROVING SUPERVISOR: GRANT MUNDAY, B.A.A., MCIP, RPP
MANAGER OF DEVELOPMENT APPROVALS**

**APPROVING G.M.: TRAVERS FITZPATRICK
GENERAL MANAGER,
INFRASTRUCTURE AND DEVELOPMENT SERVICES**

RECOMMENDATION:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Zoning By-law Amendment 2020-08 submitted by U. Lucchetta Construction for all lands within the RM-5 Zone, to amend the wording in the RM-5 Zone; and,
2. THAT no further notice under the Planning Act are required as the proposed changes to the proposed Zoning By-law Amendment are minor, as per Section 34(17) of the Planning Act.

ORIGIN AND BACKGROUND:

Application for Zoning By-law Amendment was submitted by U. Lucchetta Construction on September 1, 2020 and was deemed complete September 30, 2020.

COMMENTS AND ANALYSIS:The Proposal

The purpose of the application for Zoning By-law Amendment is to amend the existing Site Specific RM-5 Zone to:

- Allow for front yard porches (covered or uncovered) to encroach into the required front yard for corner lots;

- Allow a maximum lot coverage of 70% for interior lots on townhouse block;
- To allow for uncovered or covered decks and porches to encroach into the rear yard a maximum of 3 metres;
- To recognize that the daylighting triangle is not the front yard; and,
- To rezone lands with split RM-5 and RM-6 Zoning to RM-5

The requests have been made to allow for the development to continue in a similar style and form as currently exists in the area.

The Site

The lands are within the North Village Plan of Subdivision and are a mix of developed and undeveloped residential lots. Lands within the RM-5 Zone are located along Turnberry Trail, Kintyre Trail, Ganton Trail, Berwick Trail, Ailsa Trail, Carrick Trail, and future roads in the final phases of the North Village Plan of Subdivision.

Surrounding Land Uses

The lands to the north, south, east, and west are all used for residential purposes.

Agency Comments

City of Welland Fire and • No concerns with this application.

Emergency Services

(October 16, 2020)

City of Welland Infrastructure • No comments.

and Development Services –

Engineering Division

(October 16, 2020)

A virtual Public Open House was held on October 15, 2020 to gain public input regarding the proposed applications. Twelve (12) members of the public participated in the Information Meeting, in addition to the applicant. The following comments and questions were raised at the Public Information Meeting:

- Whether the amendment will add new provisions or modify existing;
- The depth that decks can be constructed on the lots;
- Why the proposed amendment is being applied to the existing houses as well as the new;
- Will the proposal increase property taxes; and,
- Whether stairs are included in the deck encroachments.

At the time of writing this report, three (3) letters have been submitted from members of the public regarding the application. The comments in the letter were the same as those that were raised at the Public Information Meeting.

The Statutory Public under the Planning Act will be held virtually on October 27, 2020.

Provincial Policy

The lands are within the urban area of the City of Welland, which is to be the focus of growth and development as identified in the Provincial Policy Statement (PPS). The PPS promotes developments that support a range of housing types and wisely use resources that are available. The lands are within an approved Plan of Subdivision and within the serviced, urban area. Services are available in the area, that are privately owned and operated as part of the Home Owner's Association. The purpose of the subject application for rezoning is to clarify Zoning requirements in the Site Specific RM-5 Zone and to rezone two properties which currently have split zones. The application for Zoning By-law Amendment will allow for the continued development of the lands with residential uses that are the same as what currently exists. The lands are within a developed, predominantly residential area, will not require the uneconomical expansion of municipal services, and meets the intent of the PPS.

The lands are within the identified 'Built Up Area' by the A Place to Grow Plan for the Greater Golden Horseshoe. The Built Up Area should be the focus of growth and development for communities. A minimum of 50% of all new residential growth by the year 2041 should occur within the designated Built Up Area. The requested rezoning will allow for the development of these lands as they are already within a Registered Plan of Subdivision. The construction of houses will contribute to the City's intensification target of 50% of all new growth being in the Built-up Area. This project also meets the requirements of the P2G that new development not require the costly expansion of municipal servicing.

Region of Niagara Official Plan

The subject lands are within the Urban Area of Welland as identified in the Region's Official Plan. The Region's OP encourages making efficient use of land, resources, and infrastructure and supporting intensification. The application for Zoning By-law Amendment will enable these lands to be developed more efficiently based on the registered plan of subdivision. The development can be serviced from existing infrastructure and will support intensification in the City. The proposed Zoning By-law Amendment meets the intent of the Region's Official Plan as it will allow for undeveloped lands to be developed with residential uses.

City of Welland Official Plan

The lands are currently designated as Medium Density Residential in the City of Welland's Official Plan. The City's OP permits triplex, four-plex, townhouse, stacked townhouse, and low rise apartment buildings. The area is also identified as an Intensification Area in the City's Official Plan. The existing RM-5 Zone has included single-detached and semi-detached dwellings as permitted uses. The application has been made to clarify and amend the Site Specific Zoning Provisions in the RM-5 Zone to ensure that development continues to be in the

same character as what currently exists. The proposed application for Rezoning is consistent with the purpose and intent of the City's Official Plan.

City of Welland Zoning By-law 2017-117

The lands are zoned Site Specific RM-5 in the City of Welland Zoning By-law 2017-117. The requested amendments are to:

- allow front yard porches (covered or uncovered) to encroach into the required front yard on corner lots;
- allow a maximum lot coverage of 70% for interior lots on townhouse blocks;
- to allow uncovered or covered decks and porches to encroach into the rear yard a maximum of 3 metres;
- to recognize the daylighting triangle is not the front yard; and,
- to rezone lands with split RM-5 and RM-6 Zoning to RM-5.

The purpose of this is to provide clarity for Zoning interpretation at the time of Building Permit. This will ensure that all new and existing dwellings will be permitted to have uncovered or covered decks or porches in their rear yard. The remaining provisions of the Site Specific RM-5 will be maintained.

FINANCIAL CONSIDERATION:

There are no financial impacts associated with this application for Zoning By-law Amendment. All costs associated with the development of these lots will be the sole responsibility of the builder and developer.

OTHER DEPARTMENT IMPLICATIONS:

Where appropriate, comments from other departments have been included as part of this report.

SUMMARY AND CONCLUSION:

The application for Zoning By-law Amendment to amend the existing Site Specific RM-5 Zoning to Allow for front yard porches (covered or uncovered) to encroach into the required front yard for corner lots; Allow a maximum lot coverage of 70% for interior lots on townhouse block; To allow for uncovered or covered decks and porches to encroach into the rear yard a maximum of 3 metres; To recognize that the daylighting triangle is not the front yard; and, To rezone lands with split RM-5 and RM-6 Zoning to RM-5, is appropriate as:

- Allows for an infilling development within an urban serviced area of the City;
- The proposed development is compatible with the surrounding neighbourhood;
- Is consistent with Provincial, Regional, and City policies; and,

The lands are designed for low density residential development and within a registered plan of subdivision and the subject rezoning will allow for this development to proceed.

ATTACHMENTS:

- Appendix I - Aerial Photo
- Appendix II - Location Sketch
- Appendix III - Correspondence



AERIAL PHOTO OF THE SUBJECT LANDS

2020-08



n.t.s



SUBJECT LANDS



*Infrastructure and
Development Services*
Planning Division

2020-08



LOCATION SKETCH

n.t.s



SUBJECT LANDS



*Infrastructure and
Development Services*
Planning Division

Rachelle Larocque

From: BRuce October 15, 2020 6:01 PM
Sent: Rachelle Larocque
To: Re: Oct 15 virtual meeting
Subject:

WARNING: This email originated from an external sender. eMail from City of Welland email accounts will not begin with this warning! Please do not click links or open attachments unless you are sure they are safe!

The big questions for us residents in the affected area....what does this change really mean for us in terms of our back yards and secondly does this change modify our taxation?
Thanks

Bruce Lindsay
Sent from my iPhone

On Oct 15, 2020, at 2:24 PM, BRucewrote: Thanks

Bruce Lindsay
Sent from my iPhone

On Oct 15, 2020, at 11:24 AM, Rachelle Larocque <rachelle.larocque@welland.ca> wrote:

Hi Bruce,

Here's the link:

Topic: Public Information Meeting
Time: Oct 15, 2020 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://zoom.us/j/95383949683?pwd=UTI5YXJ6ZktVY3UrVWwhSGVP'TkVSUT09>

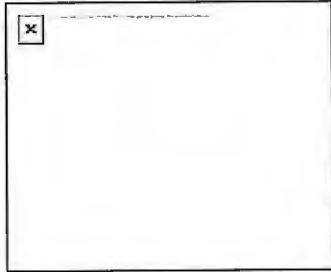
Meeting ID: 953 8394 9683
Passcode: 726900
One tap mobile
+19294362866,,95383949683# US (New York)
+12532158782,,95383949683# US (Tacoma)

Dial by your location
+1 929 436 2866 US (New York)

- +1 253 215 8782 US (Tacoma)
- +1 301 715 8592 US (Germantown)
- +1 312 626 6799 US (Chicago)
- +1 346 248 7799 US (Houston)
- +1 669 900 6833 US (San Jose)

Meeting ID: 953 8394 9683

Find your local number:<https://zoom.us/j/95383949683>



Rachelle Larocque, BES, M.Sc., MCIP, RPP

Planning Supervisor

Planning Division

Infrastructure and Development Services

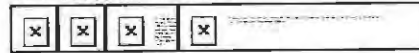
Corporation of the City of Welland

60 East Main Street, Welland, Ontario L3B 3X4

Hours:8:30am-4:30PM

Phone:(905)735-1700 Ext. 2310 Fax:(905)735-8772

www.welland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

From: BRuce

Sent: October 14, 2020 4:37 PM

To: Rachelle Larocque <rachelle.larocque@welland.ca>

Subject: Oct 15 virtual meeting

Bruce Lindsay

Sent from my iPhone

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October 14, 2020

City of Welland
60 East Main Street
Welland, ON L3B 3X4


Dear Sir/Madame:

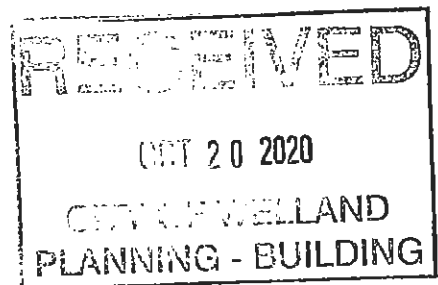
Re: Application to Amend Zoning By-law 2017-117 (File No. 2020-08)

We wish to be notified of the Decision of the City of Welland on the above-noted proposed Zoning By-law Amendment.

Our address is: David and Kathryn Eaton
 54 Kintyre Trail
 Welland, ON L3B 0B6

Yours truly,


Kathryn J. Eaton



Rachelle Larocque

From: Scott Richardson
Sent: October 17, 2020 7:45 AM
To: Rachelle Larocque
Subject: Re: Zoning By-law Amendment

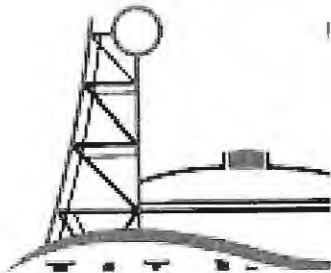
No comments.

C. Scott Richardson, C.E.T.
 Development Supervisor
 Engineering Division
 905-735-1700 ext 2222

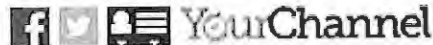
From: Rachelle Larocque <rachelle.larocque@welland.ca>
Sent: Friday, October 16, 2020 3:54:21 PM
To: Jack Tosta <jack.tosta@welland.ca>; Scott Richardson <scott.richardson@welland.ca>; Ali Khan <ali.khan@welland.ca>; Matt Richardson <matt.richardson@welland.ca>
Subject: Zoning By-law Amendment

Good afternoon,

Any comments on this application?



Rachelle Larocque, BES, M.Sc., MCIP, RPP
 Planning Supervisor
 Planning Division
 Infrastructure and Development Services
 Corporation of the City of Welland
 60 East Main Street, Welland, Ontario L3B 3X4
 Hours: 8:30am-4:30PM
 Phone: (905)735-1700 Ext. 2310 Fax: (905)735-8772
www.welland.ca



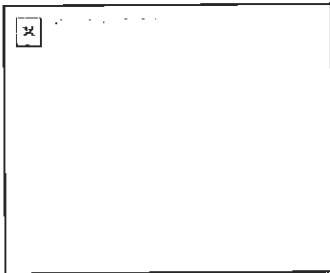
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Rachelle Larocque

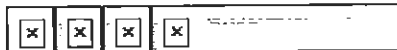
From: Matt Richardson <matt.richardson@welland.ca>
Sent: October 16, 2020 3:57 PM
To: Rachelle Larocque
Cc: Paula Albano
Subject: RE: Zoning By-law Amendment

Fire Department has no concerns with this application.

Thanks,



Matt Richardson, B.A., CFEI, CCFI-C, CMM I
Director of Fire Prevention
Welland Fire and Emergency Services
Corporation of the City of Welland
636 King Street, Welland, Ontario L3B 3L1
Phone: (905)735-1700 Ext. 2408 Fax: (905)732-2818
www.welland.ca

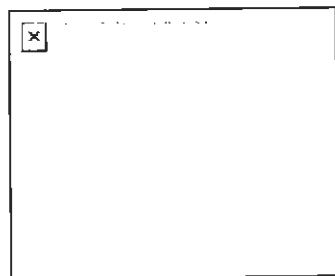


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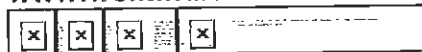
From: Rachelle Larocque <rachelle.larocque@welland.ca>
Sent: October-16-20 3:54 PM
To: Jack Tosta <jack.tosta@welland.ca>; Scott Richardson <scott.richardson@welland.ca>; Ali Khan <ali.khan@welland.ca>; Matt Richardson <matt.richardson@welland.ca>
Subject: Zoning By-law Amendment

Good afternoon,

Any comments on this application?



Rachelle Larocque, BES, M.Sc., MCIP, RPP
Planning Supervisor
Planning Division
Infrastructure and Development Services
Corporation of the City of Welland
60 East Main Street, Welland, Ontario L3B 3X4
Hours: 8:30am-4:30PM
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Rachelle Larocque

From:
Sent: October 15, 2020 10:35 AM
To: devserv
Cc: KMageren; LAllen Application to Amend Zoning-By-Law 2017-117
Subject: (File No. 2020-08) Application Zoning -Welland.pdf
Attachments:

WARNING: This email originated from an external sender. Official email from City of Welland email accounts will not begin with this warning! Please do not click links or open attachments unless you are sure they are safe!

Good morning,

In regards of the enclosed memorandum, can you please send us a copy of the virtual meeting minutes once it is available?

Thank you and Best Regards,

Anna Lo
 Administrative Assistant, Real Property Management | Adjointe administrative, Gestion des propriétés immobilières

The St. Lawrence Seaway Management Corporation Corporation de Gestion de la Voie Maritime du Saint-Laurent

450-672-4115 ext. 2223 | poste 2223

https://urldefense.proofpoint.com/v2/url?u=http-3A__www.greatlakes-2Dseaway.com&d=DwIFAw&c=euGZstcaTDIlvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=e40wCgJ__iUzxlHyXpKo0p2sES8DK62wzhrGdMMDrLM&m=fBMQM4iMvivU846_U-19nkNAGx-y-MiD1cg8FZVhUL4&s=vwUJCKUXIemaGAe8KfO75ujv7eB5Gb0iVaBSG7sLdTg&e=

Rachelle Larocque

From: Neil Taylor
Sent: October 16, 2020 3:00 PM
To: Rachelle Larocque
Subject: Re: Public Information Meeting - File No. 2020-08

WARNING: This email originated from an external sender. eMail from City of Welland email accounts will not begin with this warning! Please do not click links or open attachments unless you are sure they are safe!

Hi Rachelle:

Thank you for holding the video meeting last night. I was confused about the rear deck encroachment piece but once I understood that the real purpose was to ensure nothing was built within 4 metres of the rear property line it made sense. As a suggestion, you may want to think about wording it that way for clarity. That is, no rear deck, covered or uncovered, shall come within 4 metres of the rear property line. That would make it clearer for me, at least.

Thanks.

Neil Taylor

On Thursday, October 15, 2020, 11:25:28 a.m. EDT, Rachelle Larocque <rachelle.larocque@welland.ca> wrote:

Good morning Neil,

Here is the link to the meeting:

Topic: Public Information Meeting

Time: Oct 15, 2020 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/95383949683?pwd=UT15YXJ6ZktVY3UrVWhwSGVPTkVSUT09>

Meeting ID: 953 8394 9683

Passcode: 726900

One tap mobile

+19294362866,,95383949683# US (New York)

+12532158782,,95383949683# US (Tacoma)

Dial by your location

+1 929 436 2866 US (New York)

+1 253 215 8782 US (Tacoma)

+1 301 715 8592 US (Germantown)

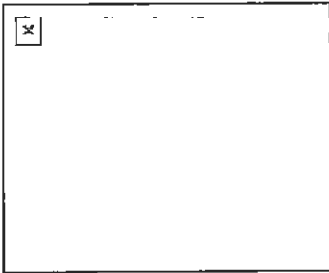
+1 312 626 6799 US (Chicago)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 953 8394 9683

Find your local number:<https://zoom.us/j/95383949683>



Rachelle Larocque, BES, M.Sc., MCIP, RPP
Planning Supervisor
Planning Division
Infrastructure and Development Services
Corporation of the City of Welland
60 East Main Street, Welland, Ontario L3B 3X4
Hours:8:30am-4:30PM
Phone:(905)735-1700 Ext. 2310 Fax:(905)735-8772
www.welland.ca



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From: Neil Taylor
Sent: October 14, 2020 8:51 PM
To: Rachelle Larocque <rachelle.larocque@welland.ca>
Subject: Public Information Meeting - File No. 2020-08

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City of Welland

Infrastructure and Development Services

Planning and Building Division

60 East Main Street, Welland, ON L3B 3X4

Phone: 905-735-1700 Ext. 2251 | Fax: 905-735-8772

 Email: devserv@welland.ca | www.welland.ca

October 21, 2020

ZAPH DEVELOPMENTS (NIAGARA) INC.

4000 Steeles Ave ., West Suite 203

Woodbridge ON

L4L 4V9

Dear ZAPH DEVELOPMENTS (NIAGARA) INC.:

**RE: Permit No. PRSF202000715
252 Midland PI**

**New construction - 110-Single House, single detached home, bungalow, linked home (linked at fo - Residential
New Single Detached Dwelling**

Please be advised the Permit for the above-noted project is ready to be issued.

The Permit must be posted and the drawings must be kept at the construction site throughout the duration of the project.

Applicable Inspections:

- Outside sewer and water
- Footings
- Foundations
- Underground Plumbing
- Rough-In Plumbing
- HVAC Rough-In
- Framing
- Air Barrier
- Insulation
- Vapour Barrier
- Final Building/Occupancy

Please remember: You must book all applicable inspections as listed on the Permit issued by telephoning City Hall at 905-735-1700, Extension 2251 or 2257 two (2) days in advance.

If you have any questions regarding the Permit please call Infrastructure and Development Services - Building Division.



City of Welland

Infrastructure and Development Services

Planning and Building Division

60 East Main Street, Welland, ON L3B 3X4


Phone: 905-735-1700 Ext. 2251 | Fax: 905-735-8772

Email: devserv@welland.ca | www.welland.ca

Infrastructure and Development Services
Building Division

Encls.

COUNCIL
CORPORATE SERVICES – HUMAN RESOURCES

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT HR-2020-06
OCTOBER 27, 2020

20-24

SUBJECT: CHIEF ADMINISTRATIVE OFFICER (CAO) RECRUITMENT

AUTHOR: ANDREA DAISLEY, MANAGER OF HUMAN RESOURCES

**APPROVING G.M.: STEVE ZORBAS, INTERIM CAO / GENERAL MANAGER
CORPORATE SERVICES / CFO / TREASURER**

**TRAVERS FITZPATRICK, GENERAL MANAGER
INFRASTRUCTURE AND DEVELOPMENT**

**DAN DEGAZIO, GENERAL MANAGER, ECONOMIC
DEVELOPMENT, RECREATION AND CULTURE**

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Staff Report HR-2020-06: Chief Administrative Officer (CAO) Recruitment, and further
2. THAT Welland City Council provide direction regarding the recruitment of the CAO to Human Resources, and further
3. THAT Welland City Council approves the amendment to the CAO salary to allow compensation at the 60th percentile, on the non-union salary schedule and further
4. THAT Welland City Council approves an amendment to by-law 2017-82 to remove "1. Wages (c)"

ORIGIN AND BACKGROUND:

In June 2020 the CAO position became vacant.

On August 18, 2020 Staff and Council, in-camera and for information only, discussed the recruitment options available to fill the CAO position on a permanent basis. Council also provided direction to proceed with the appointment of Steve Zorbias as Interim CAO.

On September 1, 2020, Council appointed Steve Zorbias as the interim CAO, until Council is able to determine and execute a recruitment strategy to fill the position permanently.

COMMENTS AND ANALYSIS:

Staff present the following options for the hiring of a permanent CAO:

Option 1 – Request for Proposal and hiring of an External Recruitment Search Firm

The benefits of engaging an external recruitment search firm to conduct the CAO recruitment include:

- Specialized experience and knowledge in hiring top level executives.
- Finding and recruiting candidates who might not necessarily be actively looking for a job by connecting with them through referrals, direct contact and using their database of candidates from past executive level recruitments.
- Leading the process from the recruitment phase up to and including negotiating with the successful candidate.
- Providing a recruitment guarantee that the successful individual will remain in the CAO position for a one or two-year time frame depending on the search firm.

The drawbacks of engaging an external recruitment search firm to conduct the CAO recruitment include:

- A significant cost for their services.
- A significant time delay since we would need to run an RFP process to select a recruitment firm prior to engaging the services of an external search firm. It is anticipated that this option would take 6 months to recruit a CAO.

With this option staff recommend appointing a CAO Hiring Sub-Committee comprised of the Mayor and four Councilors, recommended to include two female Councillors, Chair of the Budget Committee and Chair of the Planning Committee, to assist with the CAO recruitment process including working with the external recruitment search firm to develop a job posting, determine interview questions and short-list candidates for interviewing by Council.

All members of Council will be invited to participate in the final interview of the top two-three candidates.

If this option is chosen, the following recommendation should be considered by Council:

AND THAT Council select Option 1, directing staff to administer the selection of an external recruitment search firm for the recruitment of the CAO;

AND THAT Council appoint a CAO Hiring Committee comprised of the Mayor, Chair of the Budget Committee and Chair of the Planning Committee and two female Councillors being;

Option 2 – Conducting the recruitment process internally

The process for conducting the recruitment internally would be;

- A job posting based on the job description and required education and skills would be developed for the position.
- The job posing would be advertised in several different media outlets and professional associations to attract quality candidates.

The benefits of conducting the CAO recruitment internally through the Human Resources Department include:

- The cost would be less than the cost to engage an external search firm.
- Human Resources staff, in conjunction with Council, have knowledge and understanding of the corporate culture and the specific knowledge, skills and experience required for the CAO position that will be used in reviewing applications and developing a short list of candidates to interview.
- It would save some time since selecting a recruitment firm would not be required.

The drawbacks of conducting the CAO recruitment internally through the Human Resources Department include:

- This may limit the number of applications as some top-level executives may prefer a recruitment process through an external search firm or they may not see the job posting.
- There are costs associated with posting positions on media outlets and professional associations.
- Limited internal resources for conducting the process internally in conjunction with other human resources department responsibilities which include labour and employee relations matters and other recruitment files.

With this option staff recommend appointing a CAO Hiring Sub-Committee comprised of the Mayor and four Councilors, recommended to include two female Councillors, Chair of the Budget Committee and Chair of the Planning Committee, to assist with the CAO recruitment process including working with Human Resources to develop a job posting, determine interview questions and short-list candidates for interviewing by Council.

All members of Council will be invited to participate in the final interview of the top two-three candidates.

If this option is chosen, the following recommendation should be considered by Council:

AND THAT Council select Option 2, directing staff to assist Council in the recruitment of the CAO;

AND THAT Council appoint a CAO Hiring Committee comprised of the Mayor, Chair of the Budget Committee and Chair of the Planning Committee and two female Councillors being;

Option 3 – Request for Quote and hiring a consultant to assist Council in hiring the Chief Administrative Officer

The hiring of the CAO would be conducted through the City's Human Resources Department as noted in Option 2 but rather than dealing directly with the Human Resources Manager a consultant would be hired to assist Council directly. The consultant could be an HR Consultant or a subject matter expert consultant, such as a former CAO.

As per the Purchasing Policy three quotes would be sought from consultants by the Human Resources Department.

The benefits of hiring a consultant to work with the Human Resources Department include:

- Cost would be slightly less than the cost to engage an external search firm since most of the recruitment process would be administered by the internal Human Resources Department.
- Having a dedicated consultant may reduce the time Council will spend on the recruitment and recruitment related work.

The drawbacks of hiring a consultant to work with the Human Resources Department include:

- This may limit the number of applications as some top-level executives may prefer a recruitment process through an external search firm or they may not see the job posting.
- Uncertainty of the cost of a consultant. At this point no quotes have been obtained.

With this option staff recommend appointing a CAO Hiring Sub-Committee comprised of the Mayor and four Councilors, recommended to include two female Councillors, Chair of the Budget Committee and Chair of the Planning Committee, to assist with the CAO recruitment process including working with the consultant and the Human Resources Department to develop a job posting, determine interview questions and short-list candidates for interviewing by Council.

All members of Council will be invited to participate in the final interview of the top two-three candidates.

If this option is chosen, the following recommendation should be considered by Council:

AND THAT Council select Option 3, directing staff to administer the selection of an external consultant for the recruitment of the CAO

AND THAT Council appoint a CAO Hiring Committee comprised of the Mayor, Chair of the Budget Committee and Chair of the Planning Committee and two female Councillors being;

Option 4 – Maintain Status Quo – Extend the current Interim CAO role for a defined period and postpone hiring until a later date.

Council may decide the current organizational structure is functioning well and may elect to maintain the current Interim CAO contract for a longer defined period of time.

The benefits of extending the contract of the Interim CAO include:

- Money would be saved from the recruitment process.
- Staff and Council resources would be saved from a time perspective.

The drawbacks of extending the contract of the Interim CAO include:

- Delaying the hiring of a permanent full time CAO may interrupt future strategic plans of Council.

Option 5 – Appoint the Interim CAO to a permanent full time CAO

Council may decide the current organizational structure is functioning well and may elect to appoint the current Interim CAO to the permanent full time position.

The benefits of appointing the Interim CAO to a permanent full time CAO include:

- Money would be saved from the recruitment process.
- Staff and Council resources would be saved from a time perspective.
- Continuity of operations would be maintained by retaining the current interim CAO.

The drawbacks of appointing the Interim CAO to a permanent full time CAO include:

- This process does not allow external applicants to participate in an open recruitment process.
- This would create a need to backfill the General Manager of Corporate Services position.

Option 6 – Do not hire a CAO

The Municipal Act requires two mandatory positions within its organization structure, the City Clerk and a Treasurer. There is no requirement under the Municipal Act to hire a CAO. Council could consider the merits of a non-traditional municipal structure, and continue with an Executive Committee, without a CAO.

The benefits of not hiring a CAO include:

- The cost of recruitment and the cost of the CAO's salary would be saved.

The drawback of not hiring a CAO include:

- Additional work required by Council as they may be drawn into operation issues over time and lose time and work capacity that may be dedicated to setting priorities and setting strategic direction.
- Staff may become disengaged without a CAO to provide day to day direction and overall guidance to implement Council's vision and strategic direction.
- May require restructuring and changing reporting relationships for departments that currently report to the CAO and will place additional responsibilities on General Managers.

If options 4, 5 or 6 are selected by Council, staff recommends Council consider the following recommendation:

AND THAT Council direct staff to schedule a closed session at the next available opportunity to allow Council to provide direction to staff regarding the recruitment of an Interim CAO as the discussion would include personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations.

Projected Timelines:

Depending on the option selected by Council, the recruitment process from start to finish is expected to take approximately 6 months. We anticipate first interviews to be scheduled in February, 2021, second/final interviews to be scheduled in March, 2021 and for the successful candidate to start in April, or early May, 2021.

FINANCIAL CONSIDERATION:

The estimated costs associated with each option are outlined in the table below:

Option 1 – External Recruitment Search Firm	The costs to engage an external recruitment search firm to conduct the recruitment would be approximately \$40,000 - \$60,000, plus any out of pocket expenses the firm incurs during the recruitment process. The funding source will be the 2020 Corporate Contingency
Option 2 – Use Internal HR Department	The costs associated with advertising the position are estimated to be \$2,500 - \$3,000 to cover the costs associated with posting the position on various websites and professional associations. The funding source will be the 2020 Corporate Contingency
Option 3 – Use Internal HR Department with the assistance of an external consultant	The costs associated with this option would be the cost of advertising as noted above and an estimated cost of \$30,000 - \$40,000 for the consultant. The funding source will be the 2020 Corporate Contingency
Option 4 – Maintain Status Quo	Limited costs would be associated with this option. Discussion would need to take place with the interim CAO related to the potential costs for compensation for staff who are granted additional responsibilities due to the advancement of the Interim CAO.
Option 5 – Appoint the Interim CAO to a Permanent Full Time CAO	The costs associated with this option include replacement of the General Manager position. Discussion would need to take place with the interim CAO related to

	the potential costs for compensation for staff who are granted additional responsibilities due to the advancement of the Interim CAO.
Option 6 – Do not hire a CAO	Discussion would need to take place with the Executive Committee related to the potential costs for compensation for staff who are granted additional responsibilities.

Other Financial Considerations:

Other costs that may be associated with recruiting a successful candidate could include the following;

- Travel costs for a candidate to attend an in-person interview (i.e. flight/hotel/mileage)
- Moving/Relocation expenses for the successful candidate

CAO Compensation Review

Currently, in accordance with By-Law 2017-82, since December 23, 2012 the CAO has not received economic adjustments applicable to other non-union positions. The CAO receives salary adjustments limited to 15% above the highest paid employee of the Corporation.

The Corporation engaged ML Consulting to complete a review of the CAO salary. A market study was completed using 9 Municipal comparator organizations. The results of the review indicate that the CAO salary schedule is compensated below the median.

It is recommended that the current CAO salary be redesigned to allow compensation at the 60th percentile, and in accordance with the market comparator group. It is further recommended that a salary schedule be created for the CAO position, and that adjustments not be tied to other salaries within the Corporation.

OTHER DEPARTMENT IMPLICATIONS:

N/A

SUMMARY AND CONCLUSION:

This report was requested to provide Council information related to permanently filling the CAO position. It is recommended that Council provide direction to the Human Resources Department on how they wish to proceed, as well as to proceed with adjusting the CAO salary schedule to reflect market comparators.

ATTACHMENT:

By-Law 2017-82